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3

1 I N D E X  
2 VOLUME I  
3

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4	TUESDAY, MARCH 30, 2010	
5		
6	WITNESS	EXAMINATION
7		
8	RONALDO REYES	
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10	(By Mr. Zipes)	6
11	(By Ms. Charney)	57
12	(By Mr. Zipes)	118
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1	UST/REYES EXHIBITS	
2	RONALDO REYES	
3		
4	NUMBER DESCRIPTION IDENTIFIED	
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5	1	REVER0033010.txt
6	2	Affidavit of Ronaldo Reyes.
7	3	March 5, 2010 cover letter and
8	4	complete loan file information.
9	5	
10	6	Fixed/Adjustable Rate Note.
11	7	
12	8	Collateral File Checklist.
13	9	
14	10	Assignment of Mortgage.
15	11	
16	12	Recording and Endorsement Cover Page.
17	13	
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1	ORANGE COUNTY, CALIFORNIA, TUESDAY, MARCH 30, 2010	
2	9:22 A.M.	
3	-000-	
4		
5	RONALDO REYES,	
6	having been administered an oath, in accordance with	
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7 C.C.P. Section 2094, testified under penalty of  
8 perjury as follows:

EXAMINATION

11 BY MR. ZIPES:

12 Q. Good morning, Mr. Reyes. My name is Greg  
13 Zipes, that is Z I P E S. I'm with the office of  
14 the United States Trustee. And we're holding this  
15 deposition by Skype. There is a court reporter  
16 present with you, I understand.

17 And I just want to get a few housekeeping  
18 matters out of the way. I'm asking questions. You  
19 should wait to hear my questions in full before you  
20 try to answer. You need to verbalize your answers.  
21 And if your attorney objects, you can still answer  
22 the questions. But if you don't understand a  
23 question posed by me, you could ask me to repeat it.  
24 Don't try to guess or speculate.

25 So do you understand that, Mr. Reyes?

6

1 A. Yes.

2 Q. As I stated, we're conducting this  
3 deposition by Skype and by telephone. It's  
4 important that you not review any documents,  
5 BlackBerry's or anything else under oath that I  
6 can't see and without me knowing about it.  
7 Do you understand that?

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8 A. Yes.

9 Q. Mr. Reyes, you are not testifying from  
10 your office today; is that correct?

11 A. Yes.

12 Q. And you are testifying from your home?

13 A. Yes.

14 Q. Can you state the town where you are  
15 located?

16 MR. TEITELBAUM: Objection. You don't  
17 have to answer that question. For the record, this  
18 is Jay Teitelbaum. Mr. Reyes is testifying from  
19 home because the institution where he works Deutsche  
20 Bank has security measures in place that do not  
21 allow the download of Skype or for him to bring a  
22 personal computer and tie it into their computer  
23 system or via wireless internet. So we are doing  
24 this from Mr. Reyes' home. Mr. Reyes will provide  
25 his business address and that is it.

7

1 He has provided to the court reporter, and  
2 I would like the court reporter to confirm she has  
3 reviewed Mr. Reyes' driver's license and his  
4 Deutsche Bank ID to confirm his identity.

5 THE REPORTER: Yes.

6 MR. TEITELBAUM: Would the court reporter  
7 just confirm that?

8 THE REPORTER: Yes. And it is the same  
9 person.

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10 MR. ZIPES: Is the driver's license a  
11 valid license?

12 THE REPORTER: Yes.

13 BY MR. ZIPES:

14 Q. Okay. I guess I'll ask the witness?

15 A. Yes.

16 Q. It's a California license?

17 A. Yes.

18 Q. And you are currently an employee at the

19 Deutsche Bank?

20 A. Yes.

21 Q. Is that the full name of the company you  
22 work at?

23 A. No.

24 Q. What is the full name of the company?

25 A. Deutsche Bank National Trust Company.

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11 else today; correct?

12 MR. TEITELBAUM: Objection.

13 MR. ZIPES: You can answer.

14 THE WITNESS: Correct.

15 BY MR. ZIPES:

16 Q. Did you review any documents, Mr. Reyes,  
17 prior to today's deposition?

18 A. Yes.

19 Q. What did you review and when?

20 A. The Pooling and Servicing Agreement

21 related to Long Beach Mortgage Loan Trust 2006-2.

22 The mortgage loan purchase agreement.

23 Q. Anything else?

24 A. The mortgage file related to the borrower

25 Nuer.

9

1 Q. Anything else?

2 A. The contents of the binder that you  
3 referred to earlier.

4 Q. UST's binder?

5 A. Yes.

6 Q. When did you review these documents last  
7 that you just referred to?

8 A. Yesterday.

9 Q. Who did you review them with, if anybody?

10 A. Counsel.

11 Q. Did you review them with anybody other  
12 than counsel?

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13 A. NO.  
14 Q. Prior to reviewing them for this  
15 deposition when was the last time you had reviewed  
16 these documents, if at all?  
17 A. I don't recall.  
18 Q. Do you recall reviewing them at some  
19 point?  
20 A. During the course of business I have  
21 reviewed the Pooling and Servicing Agreement for  
22 Long Beach 2006-2.  
23 Q. Mr. Reyes, have you been deposed in the  
24 last two years?  
25 A. Yes.

10

1 Q. How often? How many times have you been  
2 deposed?  
3 A. I don't recall.  
4 Q. Can you give me an estimate? More than  
5 five? Fewer than five?  
6 A. More than five.  
7 Q. More than ten?  
8 A. I don't know.  
9 Q. Have you -- so you understand what being  
10 under oath is; correct?  
11 A. Yes.  
12 Q. Have you ever testified in court in the  
13 last two years?

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14 A. Yes.  
15 Q. How many times have you testified in  
16 court?  
17 A. Three times.  
18 Q. Tell me are you employed by any Deutsche  
19 Bank affiliates?  
20 MR. TEITELBAUM: Objection.  
21 You can answer the question.  
22 THE WITNESS: I have signing authority for  
23 Deutsche Bank Trust Company Americas.  
24 BY MR. ZIPES:  
25 Q. Okay. Let me back up a little bit here.

11

1 When did you -- what is your level of schooling?  
2 A. I have an economic's degree from UCLA.  
3 Q. When did you get that degree?  
4 A. June 1989.  
5 Q. Did you go to college right after high  
6 school?  
7 A. Yes.  
8 Q. Do you have any post college degrees or  
9 education?  
10 A. No.  
11 Q. Do you hold any professional licenses?  
12 A. No.  
13 Q. Okay. I'm going to ask you generally,  
14 after college, how many places did you work at, and  
15 I'm trying to get a sense of it so I can find out if

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16 I need to get more in depth with respect to some of  
17 these places of business. How many different  
18 companies did you work at other than Deutsche Bank  
19 after college?

20 A. Five.

21 Q. All right. Let's start with Deutsche  
22 Bank, how long have you been at Deutsche Bank?

23 A. Since May of 1998.

24 Q. All right. Prior to that time did you  
25 have a job for more than two years, one of those

12

1 five jobs that you referred to, five companies?

2 A. Yes.

3 Q. Okay. So tell me where you worked for  
4 more than two years prior to being at Deutsche Bank?

5 A. I worked at Security Pacific National Bank  
6 which later merged into Bank of America.

7 Q. Okay. How long did you work there and  
8 what was your job function?

9 A. Seven years.

10 Q. Did you hold more than one position there?

11 A. Yes.

12 Q. Okay. Why don't you tell me what your  
13 last position there was, your title and what you  
14 did?

15 A. My last position at Bank of America was an  
16 internal auditor position.

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17 Q. Tell me what you did as for your internal  
18 auditor position?

19 A. We conducted retail banking audits in the  
20 Western United States.

21 Q. It required you to travel?

22 A. Yes.

23 Q. What was the time period for this  
24 position?

25 A. From 1995 to 1998.

13

1 Q. Was that the job you had previous to --  
2 the last job you had previous to joining Deutsche  
3 Bank?

4 A. Yes.

5 Q. Good. That eliminates some questions,  
6 then. Okay. Tell me about Deutsche Bank. What was  
7 your first -- what is your current title at Deutsche  
8 Bank?

9 A. Vice president.

10 Q. Uh-huh. And that's it?

11 A. Yes.

12 Q. What are your job responsibilities right  
13 now and how long have you had these job  
14 responsibilities? I'm asking a compound question  
15 which is not appropriate, but we're trying to cut  
16 here --

17 MR. TETTELBAUM: Trying to move it along.

18 MR. ZIPES: Yeah.

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19 THE WITNESS: I manage employees in  
20 Deutsche Bank Mortgage Backed Securities Group. I  
21 have managed employees since 2001.

22 BY MR. ZIPES:

23 Q. You've had this position since 2001 at  
24 Deutsche Bank? VP?  
25 A. I have managed employees since 2001;

14

1 however, I was granted the vice president  
2 designation in December of 2005.

3 Q. Let's just focus on this time period 2005  
4 to present, has your job required you to do any  
5 traveling?

6 MR. TEITELBAUM: Objection.

7 Go ahead, you can answer.

8 THE WITNESS: Yes.

9 BY MR. ZIPES:

10 Q. Why do you travel as part of your job?

11 MR. TEITELBAUM: Objection. For the  
12 record, it's just totally irrelevant.

13 But you can answer the question.

14 (Phone vibrating.)

15 THE WITNESS: I have traveled on business  
16 due to new business closings, conf--

17 MR. TEITELBAUM: Hang on a second. If  
18 someone has got a BlackBerry that is beeping, it's  
19 just coming through the speaker, so you may want to

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20 just put it on silent.

21 THE WITNESS: Sorry. That was mine. I'm  
22 sorry. I'll put it away.

23 MR. TEITELBAUM: Sorry. Go ahead.

24 THE WITNESS: Yes, I have traveled for new  
25 business closings, conferences, depositions and

15

1 trials.

2 BY MR. ZIPES:

3 Q. Are you in charge of a specific  
4 geographical area?

5 A. No.

6 Q. You could appear throughout -- well, tell  
7 me what your department does or what you oversee  
8 exactly?

9 A. We provide trustee and mortgage document  
10 services for securitization trusts.

11 Q. What is your understanding of what a trust  
12 is?

13 MR. TEITELBAUM: Objection.  
14 you can answer the question.

15 Let me just -- is it in the context of  
16 Mr. Reyes' employment?

17 MR. ZIPES: Yes.

18 MR. TEITELBAUM: Okay. Go ahead.

19 BY MR. ZIPES:  
20 Q. You mentioned the word "trust" so I just  
21 want to know what it is. Tell me what a trust is in

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22 the context of your employment?  
23 A. In the context of my employment a trust  
24 has segregated assets in the case of securitization  
25 mortgage pools.

16

1 Q. Do you deal with mortgage, residential  
2 mortgage only?  
3 A. No.  
4 Q. As you describe what you do, do you  
5 oversee that on behalf of Deutsche Bank or do you  
6 work for someone who oversees that operation?  
7 A. I oversee administrators who administer  
8 trust accounts.  
9 Q. Are you in a particular department or  
10 division of Deutsche Bank?  
11 A. Yes.  
12 Q. What is the name of that division or what  
13 shall I call it division? Department?  
14 A. It's referred to as Structured Finance  
15 Group.  
16 Q. So you stated that you oversee individual  
17 administrators?  
18 A. Yes.  
19 Q. And who do you report to?  
20 A. David Co, C O.  
21 Q. Is he in the Structured Finance Group as  
22 well?

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23 A. Yes.  
24 Q. What is his position?  
25 A. Director.

17

1 Q. All right. And who does he report to?  
2 Does he report to someone in the Structured Finance  
3 Group as well?  
4 MR. TEITELBAUM: Objection.  
5 You can answer.  
6 THE WITNESS: Yes.  
7 BY MR. ZIPES:  
8 Q. So what is the name of the person he  
9 reports to?  
10 A. Gary Vaughan, V A U G H A N.  
11 Q. And what is his position?  
12 MR. TEITELBAUM: Objection.  
13 You can answer.  
14 THE WITNESS: Managing director.  
15 BY MR. ZIPES:  
16 Q. Does he report to someone within the  
17 Structured Finance Group?  
18 A. Yes.  
19 Q. Okay. Before I ask you who that is, how  
20 many more levels, if you know, are within the  
21 Structured Finance Group?  
22 A. I know of at least three more levels above  
23 that level. I don't know.  
24 Q. So does -- tell me your immediate -- I'll

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25 -- excuse me -- call him supervisor David Co, does

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19

1 he oversee people in your position or does he  
2 oversee administrators as well? or tell me what he  
3 does?

4 MR. TEITELBAUM: objection to form.  
5 objection, relevance.  
6 Go ahead.

7 THE WITNESS: David Co manages the trust  
8 and custodial administration businesses.

9 (lost sound on Skype.)

10 THE WITNESS: Sorry, we have momentarily  
11 lost volume there.

12 BY MR. ZIPES:

13 Q. Okay. I'm sorry. You mentioned you had  
14 signing authority for different Deutsche Bank  
15 entity, can you please tell me again what the name  
16 of that entity was?

17 MR. TEITELBAUM: objection, relevance.

18 Go ahead.

19 THE WITNESS: Deutsche Bank Trust Company  
20 Americas.

21 MR. TEITELBAUM: before you ask the next  
22 question, I just want to make sure my objections are  
23 being -- they are coming through; right, Ronaldo?

24 THE WITNESS: Yes, Jay.

25 MR. TEITELBAUM: Thank you.

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1 MS. CHARNEY: would it be helpful if we  
2 just gave him a standing objection to relevancy?

3 MR. TEITELBAUM: No, it's okay.

4 MR. CHARNEY: I think that is basically  
5 what Judge Gerber did at the February hearing.

6 MR. TEITELBAUM: It's okay. I appreciate  
7 it. Thank you.

8 MS. CHARNEY: Okay. Well, I would  
9 appreciate it when you make your objections you  
10 don't say it's not relevant, which is what you've  
11 done a couple times so that concerns me as far as  
12 leading the witness. So just relevance, just leave  
13 it at the word would be helpful.

14 MR. TEITELBAUM: I'll state my objections  
15 the way I see fit. I appreciate it.

16 And just for clarity, Ms. Charney, I would  
17 like to know which one of the two of you is going to  
18 be conducting this deposition?

19 MS. CHARNEY: Me.

20 MR. TEITELBAUM: Thank you. So you are  
21 going to be handling the deposition?

22 MS. CHARNEY: Yes.

23 MR. TEITELBAUM: Okay. Thank you.

24 THE REPORTER: Okay. Who was speaking?  
25 This is the reporter.

20

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1 MR. TEITELBAUM: That was Ms. Charney.  
2 THE REPORTER: Okay. Well, I don't know  
3 that. I can't see you. I need you to identify who  
4 you are.  
5 MR. TEITELBAUM: She's being picked up on  
6 the mic but not on video right now. All right. So  
7 we'll be more careful. We apologize. Before  
8 someone speaks they'll state their name. Sorry to  
9 interrupt. I just wanted to make sure we were all  
10 being heard.  
11 BY MR. ZIPES:  
12 Q. And, Mr. Reyes, you heard the name Silvia  
13 Nuer before today; correct?  
14 A. Yes.  
15 Q. What is your understanding of Deutsche  
16 Bank's connection to the Silvia Nuer case?  
17 MR. TEITELBAUM: Objection.  
18 Go ahead.  
19 THE WITNESS: It's a foreclosure matter.  
20 BY MR. ZIPES:  
21 Q. What is -- I didn't ask that question the  
22 best way. What is Deutsche Bank's -- what is  
23 Deutsche Bank's connection to the Silvia Nuer case,  
24 the mortgage?  
25 MR. TEITELBAUM: The loan.

21

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1 THE WITNESS: Deutsche Bank National Trust  
2 Company acts as trustee of Long Beach Mortgage Loan  
3 Trust 2006-2. The Nuer loan is a part of the pool  
4 of loans that are the assets of that trust.  
5 BY MR. ZIPES:  
6 Q. Okay. I'll call it the Silvia Nuer loan,  
7 is that a good way of referring to your file?  
8 A. Yes.  
9 Q. Okay. So when did you personally start --  
10 first see the Silvia Nuer loan?  
11 A. Yesterday.  
12 Q. Okay. Again, I'm not being clear. Let me  
13 refer to it as a mortgage file, is that okay?  
14 A. Yes.  
15 Q. When was the first time you personally  
16 worked on any matters relating to the Silvia Nuer  
17 mortgage file during your employment at Deutsche  
18 Bank?  
19 MR. TEITELBAUM: Objection. Greg, when  
20 you say worked on --  
21 MS. TIRELLI: This is Ms. Tirelli. State  
22 your name for the reporter.  
23 MR. TEITELBAUM: The court reporter has my  
24 name. Jay Teitelbaum. She knows that.  
25 THE REPORTER: I know that. I just don't

22

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1 understand the ladies. You need to distinguish,  
2 please --

3 MS. TIRELLI: This is Ms. Tirelli. I am  
4 just asking that Jay adhere to what we just agreed  
5 to that everybody will state their name before  
6 speaking.

7 MR. TEITELBAUM: And I'm going to ask that  
8 if Ms. Charney is going to be doing the deposition,  
9 that Ms. Charney speak. The question is frankly,  
10 and the objection is a little bit confusing in that  
11 it's assuming that Mr. Reyes has responsibility for  
12 doing something with respect to this loan as opposed  
13 to reviewing the documents in connection with this  
14 deposition. So if you want to clarify that, that's  
15 fine.

16 MR. ZIPES: I think my question was clear,  
17 but if that is a clearer -- if you understand  
18 counsel's question the way he phrased it, that is  
19 fine.

20 THE WITNESS: Repeat the question, please.

21 BY MR. ZIPES:

22 Q. Let me just start again. You are familiar  
23 with the Silvia Nuer mortgage file; correct?

24 A. Yes.

25 Q. When did you first personally review the

23

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2 A. Yesterday.  
3 Q. What do you consider to be the Silvia Nuer  
4 mortgage file?

5 A. The documents that Deutsche Bank National  
6 Trust Company as trustee received effective the  
7 closing date of Long Beach 2006-2 which is March  
8 7th, 2006.

9 Q. Okay. Mr. Reyes, I sent a binder there  
10 which should be before you, it's the UST -- I call  
11 it the UST, United States Trustee Exhibit Binder, do  
12 you have that?

13 A. Yes.

14 MR. ZIPES: Okay. I'll ask that you turn  
15 to what I marked as Index No. 6 and I'll ask the  
16 court reporter to mark that as UST Exhibit 1.

17 MR. TEITELBAUM: UST/Reyes 1.

18 MR. ZIPES: Yes. I think we are doing it  
19 that way. UST/Reyes 1.

20 THE REPORTER: Okay.

21 (UST/Reyes Exhibit 1 was marked for  
22 identification and is bound separately.)

23 BY MR. ZIPES:

24 Q. Okay. Mr. Reyes, I'll ask that you review  
25 that document and ask you if you recognize this

24

1 document.

2 A. Yes.

3 Q. What is this document?  
Page 23

1 Silvia Nuer mortgage file?

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A. Affidavit of Ronaldo Reyes.

Q. In the Silva Nuer case. Just for identification purposes, in the Silva Nuer case. And that is dated February 22nd, 2010, if you look at the last page?

A. Yes.

Q. Did you review any documents in the Silva Nuer file before preparing or signing this affidavit?

A. Yes.

Q. Okay. I might not have been clear with my question before, what documents did you review in preparing this affidavit?

A. I reviewed our system of record.

Q. And when I was referring to the Silva Nuer file before, I was referring to any document in the file. My question before was when did you first review the Silva Nuer mortgage file? And I believe you said yesterday. So I'm trying to get clarification on this.

A. Yes.

Q. You are keeping to your answer?

25

A. Yes.

MR. ZIPES: Okay. Why don't you turn to exhibit -- what I have marked as UST Exhibit 7 and we'll mark this for identification purposes as

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UST/Reyes 2.

(UST/Reyes Exhibit 2 was marked for identification and is bound separately.)

MR. TEITELBAUM: Just for clarity, are you including my cover letter in that?

MR. ZIPES: For now I'm including the cover letter, yes. I'll wait for the reporter.

THE REPORTER: We're done.

BY MR. ZIPES:

Q. Mr. Reyes, do you see that it's a letter and certain documents attached to it?

A. Yes.

Q. This is a letter dated March 5th, 2010, from Jay Teitelbaum. Do you see that on the first page?

A. Yes.

Q. Before reviewing this yesterday did you see this letter?

A. No.

Q. Okay. Turn the page and you can take a little time if you want, but I have what is marked

26

Bates stamped 1381 through 1383. Do you see that?

A. Yes.

Q. Do you know what this document or documents are?

A. Yes. This is Deutsche Bank National Trust Company's system of record with respect to the Nuer

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7 loan.

8 Q. Can you tell from these is it one document  
9 or is it more than one document here?

10 A. It is three pages.

11 Q. Three pages, but I'm asking is it all the  
12 same? Because you have to assume I'm starting from  
13 first base here. So is this one complete document  
14 or is this different documents here?

15 MR. TEITELBAUM: You are at home plate.

16 You haven't gotten to first yet.

17 THE WITNESS: This is a printout of our  
18 system of record with respect to the Nuer loan.

19 BY MR. ZIPES:

20 Q. So in answer to my question, it's a single  
21 document; correct? These three pages?

22 MR. TEITELBAUM: Objection. Objection.  
23 You can answer.

24 THE WITNESS: Again, it's the system of  
25 record.

27

1 BY MR. ZIPES:

2 Q. All right. When was this document  
3 generated, can you tell from this document?

4 A. The first two pages, I don't know. The  
5 last page it was generated on 3/3/2010. That is the  
6 system of record as far as when it was printed.

7 Q. So let's focus on the third page which is

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8 1383, is that the page you are looking at so we're  
9 clear?

10 A. Yes.

11 MR. TEITELBAUM: For the record, the Bates  
12 numbers have been put on these documents by my firm  
13 for identification purposes. Those are not Deutsche  
14 Bank numbers.

15 MR. ZIPES: Right. That needs to be made  
16 clear. This is titled on top "Loan Inventory."

17 Correct? Just so we're on the same page.

18 THE REPORTER: I am sorry. This is titled  
19 what?

20 THE WITNESS: Loan inventory.

21 BY MR. ZIPES:

22 Q. We're still at UST 2 at the moment. And  
23 we're focusing on what is Bates stamped 1383. At  
24 the top of that there is "Loan Inventory." Correct?

25 A. Yes.

28

1 Q. Okay. So is this document up-to-date as  
2 of 3/3/2010?

3 A. 3/3/2010 was the system run date. That is  
4 the date we printed the report.

5 Q. So would this represent the most  
6 up-to-date information as of 3/3/2010?

7 A. Yes.

8 Q. Okay. Now, I don't know if it was clear  
9 to me, are these other two documents 1381, Bates

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10 stamped 1381 and Bates stamped 1382 are those part  
11 of the same run?

12 MR. TEITELBAUM: Sorry. What do you mean  
13 by run?

14 MR. ZIPES: Is this the same document?  
15 Was all of this run on 3/3/2010?

16 THE WITNESS: I don't recall now the exact  
17 run date of the first two documents.

18 BY MR. ZIPES:

19 Q. Okay. Did you personally -- were you  
20 personally involved in running -- let's start with  
21 1383 which is the loan inventory page, were you  
22 personally involved with running that?

23 A. I requested the report be run.

24 Q. Did you personally run this report?

25 A. No.

29

1 Q. Did you personally -- well, tell me, did  
2 you at any point prior to yesterday review this  
3 report?

4 A. Yes.

5 Q. Okay. When did you review it? And,  
6 again, we seem to be talking about two different  
7 documents right now so I'm focusing at this moment  
8 on the loan inventory, that page. Okay?

9 A. Yes.

10 Q. When did you personally review this

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11 document?

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12 A. 3/3/2010.

13 Q. All right. Let me turn to the other two  
14 documents 1381 and 1382.

15 A. Yes.

16 Q. Were you involved in the generation of --  
17 is it one document or two documents? It says on top  
18 of 1381 "Complete Loan File Information." Are these  
19 two pages part of one document?

20 A. It's one report, yes.

21 Q. Okay. Were you involved in generating  
22 this report?

23 A. I requested it. I requested that it be

24 run.

25 Q. And you testified that you don't know when

30

1 exactly that was run; correct?

2 A. Correct.

3 Q. Are there any Deutsche Bank records that  
4 would -- that are kept that would reflect when this  
5 report was run?

6 A. I don't know. This is a standard report  
7 that we generate.

8 Q. Okay. I'll ask it again. Based upon the  
9 review of these documents when was your first  
10 involvement with the Nuer file? I'm not trying to  
11 trick you in any way. You testified that yesterday  
12 was the first date that you reviewed these documents

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13 and I'm hearing that you have reviewed these earlier  
14 than that?

15 MR. TEITELBAUM: Objection. That wasn't  
16 his testimony. You asked a specific question about  
17 the original mortgage file. And he answered it.

18 BY MR. ZIPES:

19 Q. So that we're clear, when I was referring  
20 to the original mortgage document, what did you  
21 believe that I was referring to, Mr. Reyes?

22 A. The mortgage file as defined in the  
23 Pooling and Servicing Agreement.

24 Q. And tell me what that is?

25 A. Pursuant to Section 2.01 of the Pooling

31

1 and Servicing Agreement it specifies the documents  
2 that the trustee is supposed to receive effective  
3 the closing date of the trust.

4 Q. Okay. So turning to USI's 2, other than  
5 these reports -- I'm calling them a report, you call  
6 them -- was there any other part of the Nuer file  
7 that you reviewed prior to yesterday's date?

8 MR. TEITELBAUM: Objection.

9 THE WITNESS: As I stated previously, I  
10 did review the system of record that we have with  
11 respect to the Nuer loan.

12 BY MR. ZIPES:

13 Q. Okay. I'm sorry. I wasn't clear about

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14 that. So other than the documents that are referred  
15 to in USI 2 have you reviewed any other documents in  
16 connection with the Sylvia Nuer file prior to  
17 yesterday?

18 A. No.

19 Q. Let's stay on USI Exhibit 2 for the moment  
20 and the first page which is Complete Loan File  
21 information after Jay's, Mr. Teitelbaum's letter.

22 A. Yes.

23 Q. Going down to the line -- do you see  
24 "Classification Attribute Changes"?

25 A. Yes.

32

1 Q. What does this information represent  
2 there? In general terms. I don't need specifics.  
3 I just want to know what it is generally?

4 A. Maintenance updates made by the custody  
5 administrator.

6 Q. Is a custody administrator a Deutsche Bank  
7 employee?

8 A. Yes.

9 Q. Are all updates of whatever kind reflected  
10 in this classification attribute changes?

11 A. I'm sorry, repeat the question, please?

12 Q. Are all changes of any kind in this file  
13 reflected in this column "Classification Attribute  
14 Changes"?

15 A. Maintenance changes are reflected. The

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16 other sections of this report reflect other  
17 information such as when the loan file was withdrawn  
18 from our physical custody. So there are other  
19 sections in this report that reflect what has  
20 occurred with the Nuer loan while it has been in the  
21 physical custody of Deutsche Bank.  
22 Q. Okay, what is the name of the title -- if  
23 a document has been withdrawn from the custody of  
24 Deutsche Bank, where is that reflected on this loan  
25 file information report?

33

1 A. Under Loan File Withdrawal Information and  
2 Loan File Withdrawal History.  
3 Q. Okay. So these two sections would reflect  
4 any time the files have left Deutsche Bank's  
5 custody; correct?  
6 A. Correct.  
7 Q. Okay. Can you tell from this when they --  
8 when the files left Deutsche Bank's custody?  
9 A. The Nuer mortgage file last left Deutsche  
10 Bank's physical custody on September the 3rd, 2009,  
11 and it has not since been returned.  
12 Q. And that "Sent to" column shows where it  
13 was sent to; correct? Chase 780 Delta Drive,  
14 Monroe, Louisiana?  
15 A. Correct.  
16 Q. Would it be the entire file that was sent?

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17 Is there a way of telling from this or specific  
18 documents?  
19 A. It's the entire mortgage file as defined  
20 in the Pooling and Servicing Agreement.  
21 Q. Okay. And prior to that when -- I'm  
22 reading this it looks like July 1st, 2009?  
23 A. Correct.  
24 Q. And "Changed on:" you see that Line 7/24?  
25 would that represent when it came back?

34

1 A. Yes. That is when the file was returned.  
2 Q. Does that date represent when it was  
3 actually returned or does that reflect when someone  
4 made an entry regarding its return?  
5 A. That is the date that the file according  
6 to our system of record was returned and the entry  
7 was made.  
8 Q. Okay. Is there somewhere on this loan  
9 file report that would indicate if someone actually  
10 looked at what was in the file?  
11 A. Yes. Under "Loan File Transactions" the  
12 initial review, the initial loan review was done on  
13 1/13/2006.  
14 Q. Okay. So the loan file transaction would  
15 generally tell whenever someone pulled up, for lack  
16 of a better word, pulled the file up to look at it?  
17 A. Yes.  
18 Q. Is there any where else on this loan file

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19 report that would indicate, for example, under  
20 Classification Attribute Changes, would there be  
21 something here that would show when someone has  
22 reviewed the file?  
23 A. Yes. For example, on 1382 the last entry  
24 Classification Attribute Changes March 7, 2006, that  
25 represents the date that that loan went into the

35

1 securitization trust Long Beach 2006-2.  
2 Q. I don't need to know your codes  
3 necessarily, but can you tell from this how you were  
4 able to say that?  
5 A. Because that code was the last time that  
6 it was in a custodial relationship only. And then  
7 if you look on the front page of our report complete  
8 loan file information the issue LB0602 refers to  
9 this trust Long Beach 2006-2.  
10 Q. Can I tell that from this report or do you  
11 know that from some other information?  
12 A. From my working knowledge.  
13 Q. Okay. So this report doesn't reflect the  
14 Long Beach 2 trust, I'll call it the last trust that  
15 the mortgage was placed in?  
16 MR. TEITELBAUM: Object.  
17 Go ahead.  
18 THE WITNESS: It does reflect it because  
19 this complete loan file information also has the

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20 loan numbers up top.  
21 BY MR. ZIPES:  
22 Q. Right.  
23 A. Those are the loan numbers -- well, the  
24 originator's loan number I believe is the loan  
25 number that is on the note. And the secondary loan

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1 number was the servicer's loan number.  
2 Q. Okay. So -- is there any where based upon  
3 this sheet or otherwise that would tell you that  
4 someone looked at the original file for the time  
5 period starting after -- do you know when the  
6 bankruptcy filing date on this case was?  
7 A. No.  
8 Q. If I represented to you that in October of  
9 2008 -- first of all, if I told you if the filing  
10 date was October the 10th, 2008, would you now be  
11 able to find on this document anywhere a reference  
12 to that bankruptcy filing?  
13 MR. TEITELBAUM: Objection.  
14 THE WITNESS: No, because this is a system  
15 of record of Deutsche Bank.  
16 BY MR. ZIPES:  
17 Q. Okay. So did anyone pull this file to  
18 look at the originals between the time of October  
19 2008 and July of 2009?  
20 A. Anyone at Deutsche Bank?  
21 Q. Anybody at all? If you can tell from

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22 this?  
23 A. Well, the file was withdrawn on July 1st,  
24 2009, we sent it to Chase.  
25 Q. Okay. Before that time period in between  
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23 were sent pursuant to a document request by Chase on  
24 or about May 7th, 2009. Well, let me direct your  
25 attention to Bates stamp 1. And you see the  
38

1 October of 2008 and July 1st, 2009, did anyone at  
2 Deutsche Bank pull this file?

3 A. Our records don't reflect that.

4 Q. Did anybody other than Deutsche Bank have  
5 access to these documents between October of 2008  
6 and July 1st, 2009?

7 A. No.

8 MR. ZIPES: Let me direct your attention  
9 to what is marked in the Index book, Index No. 4 and  
10 we'll mark that as UST/Reyes 3.

11 (UST/Reyes Exhibit 3 was marked for  
12 identification and is bound separately.)

13 THE REPORTER: Okay.

14 BY MR. ZIPES:

15 Q. Okay. I'll represent to you that this  
16 document was provided by Chase's counsel pursuant to  
17 a document request. It's not a complete set of what  
18 he sent us, but this is 1 through -- if you look at  
19 the bottom there it's Bates stamped, Chase's Bates  
20 stamps 1 through 7?

21 A. Yes.

22 Q. I'll represent to you that these documents  
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1 Fixed/Adjustable rate note?

2 A. Yes.

3 Q. Strike that.

4 MR. TEITELBAUM: By the way, Ronaldo, this  
5 is Jay, if at any time you need a break, restroom or  
6 anything, just please speak up.

7 MR. ZIPES: Yeah. We're assuming. Please  
8 let us know.

9 THE WITNESS: Yes.

10 MR. TEITELBAUM: That goes for the court  
11 reporter, too.

12 BY MR. ZIPES:

13 Q. Okay. Let me move on here to -- I'm  
14 sorry. Sticking with UST/Reyes 3, do you know what  
15 this document is?

16 A. Yes.

17 Q. What is this document?

18 A. This is the fixed/adjustable rate note.

19 Q. For?

20 A. The borrower Nuer.

21 Q. Have you seen this document before  
22 yesterday?

23 A. No.

24 Q. Did you see it yesterday?  
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25 A. Yes.

39

1 Q. Is there any way to tell from UST Exhibit  
2 2 whether Deutsche Bank provided documents copies of  
3 its file in this case before July of 2009?

4 A. Our system of record indicates that the  
5 first withdrawal of the mortgage file was on July  
6 1st, 2009.

7 Q. So if these documents were provided by  
8 discovery in this case in May, they would not have  
9 come from the Deutsche Bank file, that is one thing  
10 you can confirm for us?

11 A. Yes.

12 Q. Let me turn your attention to what I have  
13 marked as UST Exhibit in the index book, I'm  
14 sorry --

15 A. 6?

16 Q. No. 5.

17 A. No. 5. Okay.

18 MR. ZIPES: And we'll mark that as UST  
19 Exhibit 4. UST/Reyes 4.

20 (UST/Reyes Exhibit 4 was marked for  
21 identification and is bound separately.)

22 BY MR. ZIPES:

23 Q. And, Mr. Reyes, I'll represent to you,  
24 again, that this was provided by Chase in a  
25 discovery request on or about February 4th, 2010.

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1 It's not the complete set of what was provided that  
2 day, but I'll just ask that you flip it over, it's  
3 probably folded over for you?

4 A. Yes.

5 Q. And you see at the bottom it's Bates  
6 stamped 1251? Do you see that?

7 A. Yes.

8 Q. What does this document represent, this  
9 page Collateral File Checklist, if you know?

10 A. I don't know.

11 Q. Okay. Turning the page to what is Bates  
12 stamped 1252?

13 A. Yes.

14 Q. On top of it it says "release  
15 Transmittal." Do you see that?

16 A. Yes.

17 Q. Do you know what this document represents?

18 A. No.

19 Q. And turning the page to 1253 the note?

20 A. Yes.

21 Q. This appears to be the same note as what I  
22 showed you before under UST Exhibit 3. Have you  
23 seen this note before?

24 A. Yes.

25 Q. And the first time -- is it the same

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1 document as I referred to at UST Exhibit 3?

2 A. Yes.

3 Q. It is. Okay. Is there any way you can  
4 tell whether this document or any of these documents  
5 listed at UST Exhibit 4 which starts with the Long  
6 Beach mortgage actually came from the Deutsche Bank  
7 files? Was there any marking on them, for example?

8 A. We last released the mortgage file on  
9 September 3rd, 2009.

10 Q. Is that your answer?

11 A. There are no markings on this  
12 fixed/adjustable rate note. It's a copy.

13 Q. Okay. Turning to what I marked -- what  
14 has been marked as Bates stamp 1252, you testified  
15 that you hadn't seen this page before. Is this a  
16 Deutsche -- let me ask a more general question.  
17 Does this look like a Deutsche Bank produced  
18 document?

19 A. No.

20 Q. Okay. Let me take you back to

21 Mr. Teitelbaum's letter with the report that we were  
22 referring to earlier. It's in the book at UST Index  
23 Book 7, but it's UST/Reyes 2. Are you there?

24 A. Yes.

25 Q. Is there any way you can tell from this

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1 printout that the loan file information printout  
2 what exactly was in -- is in the file, the Deutsche  
3 Bank file?

4 A. I'm sorry. I don't understand the  
5 question.

6 Q. In other words, there might be a note in  
7 the file. You refer to the PSA agreement before, I  
8 believe. I believe. And I believe you referred to  
9 the note in connection with that. So I'm asking you  
10 if you can tell from this report, the complete loan  
11 file information, what exactly is in the Deutsche  
12 Bank file?

13 A. Oh, yes. If you go to 1383.

14 Q. Okay.

15 A. So, for example, a little bit more than  
16 halfway down the note we noted that we -- the "O"  
17 stands for we have the original note.

18 Q. So "O" stands for original on this?

19 A. Yes.

20 Q. Okay.

21 A. The mortgage deed of trust we have the  
22 original.

23 Q. Hold on. You just broke up a little bit  
24 there.

25 A. I am sorry. Right under Note

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1 mortgage/deed of trust, we have the original.

2 Q. Would that be the original mortgage?

3 A. Yes.

4 Q. And I see Title Policy, you have the  
5 original title policy as well, am I reading that  
6 right?

7 A. Yes.

8 Q. Would this indicate how many pages the  
9 note was?

10 A. No.

11 Q. So all this tells you is that you have a  
12 note, it doesn't necessarily tell you any further  
13 information?

14 MR. TETTELBAUM: Objection.

15 THE WITNESS: It has further information.

16 BY MR. ZIPES:

17 Q. Well, let's just focus on the note for the  
18 moment, if we can. What else does -- and we're  
19 looking at the loan inventory which is Bates stamped  
20 1383. What other information can you tell me about  
21 the note on this?

22 A. For example, under "Mortgage/Deed Of  
23 Trust" there is an item called "Endorsement".

24 Q. Right.

25 A. "BLK" stands for blank. We noted that the

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2 Q. So just to be clear, that would indicate  
3 that in your -- that the note that you had would  
4 have had an endorsement on it?

5 A. Yes, to blank.

6 Q. Okay. And let me turn your attention back  
7 to what we marked as UST exhibit 4. Do you know  
8 what an endorsement in blank is, first of all,

9 Mr. Reyes?

10 A. Yes.

11 Q. What is that? I'm just -- understanding  
12 you are not a lawyer, but what is your  
13 understanding?

14 A. In securitization trusts when right title  
15 interest in a mortgage is conveyed to the trustee  
16 the note is endorsed in blank typically by the  
17 originator or seller.

18 Q. And if you turn, as I said, to UST 4 and  
19 you turn to what is marked as Bates stamps 1256, do  
20 you see that?

21 A. Yes.

22 Q. Is that an example of an endorsement?

23 A. Yes. That is an example of the  
24 endorsement to blank.

25 Q. And not to beat a dead horse here, but you

45

1 endorsement on the note was made to blank.

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1 didn't see this document before yesterday; correct?  
2 The actual document?

3 A. Correct.

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4 Q. Can you -- turning back to USTR 7, I do  
5 appreciate that Mr. Teitelbaum specifically sent me  
6 a letter identifying these documents. Is there any  
7 way you can tell from the loan inventory page who at  
8 Deutsche Bank indicated that the note and mortgage  
9 were there along with the endorsement?

10 A. I have to refer you to the -- I apologize,  
11 I have to refer you back to the complete loan file  
12 information.

13 Q. Okay.

14 A. We reviewed the file initially on 1/13/06  
15 under loan file transactions. 1382.

16 Q. 1/13/06. I see, 13 -- what is -- I see.

17 So please go on. I think you are going to tell me  
18 here.

19 A. At that point in time we had noted that we  
20 already had the original note with the endorsement  
21 to blank. And I refer you above under loan file  
22 inventory history where we received the original  
23 mortgage on 3/31/06 and the original title on  
24 4/3/06. So we had the original note since the  
25 initial loan file review.

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5 employee that did the initial review.

6 Q. So if I needed to get that name from you,  
7 you would be able to get me that name, correct?

8 MR. TEITELBAUM: Objection.

9 You can answer.

10 THE WITNESS: Yes.

11 BY MR. ZIPES:

12 Q. All right. Let's just so I'm clear about  
13 what was in the loan inventory, what else was in the  
14 Deutsche bank file before it was turned over in  
15 September of 2009? I'm sorry. Let me make sure I'm  
16 getting those dates right. Yeah, September 2009.

17 A. The mortgage file that we released with  
18 respect to Nuer in September of 2009 to Chase would  
19 have contained all of the contents of the mortgage  
20 file including the original mortgage note endorsed  
21 to blank, the original mortgage, the assignment to  
22 blank and the original title policy.

23 Q. Okay. How would you know about the  
24 assignment? How do you know from this that the  
25 assignment was also turned over? I am looking at

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1 Q. And, again, can you tell who was the

2 person who knew that at Deutsche Bank?

3 A. On 1/13/06 under loan file transactions,  
4 over to the right Created by, that is the ID of the

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1 the loan inventory page, but if you are looking at a  
2 different page?

3 A. I'm apologize. I am looking at the loan  
4 inventory page towards the bottom, seven up from the  
5 bottom under item Assignment.

6 Q. Right.

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A. BLK the assignment. If you look to the right, please, the From Assignment was Long Beach Mortgage Company.

Q. And I'm almost certain I asked this question before, but the October -- between October 2008 and July of 2009, at least all of the originals that you referred to in this file have remained in the custody of Deutsche Bank; correct?

A. Correct.

Q. Can you tell from this sheet or either of these sheets, either the report or what I call the loan inventory, what Deutsche Bank's relationship is to the Nuer loan?

A. Yes.

Q. And tell me how and what that is?

MR. TEITELBAUM: Objection to form.

You can answer.

THE WITNESS: On the first page 1381 the issue LB0602 that is our internal identification for

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you enter in 6641562 out will pop out Long Beach Trust 2?

A. Yes. And the borrower name. Yes. That is how our system of record worked. If you plug-in that number, yes, that is what pops up.

Q. And you are representing to me that today, again, I'm not asking for it at the time, but that is what that number would show?

A. Yes.

Q. Okay. Now, is there any information on this document that would show Deutsche Bank's connection to this case? In other words, what is it, is it the owner? The trustee? And, again, I'm just asking based upon this document. Trustee? Custodian? Another compound question, but --

MR. TEITELBAUM: Objection to form.

You can answer.

THE WITNESS: Again, this is an internal

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Long Beach Mortgage Loan Trust 2006-2. The loan numbers that we reference on this complete loan file information report are the loan numbers that are reflected on the original mortgage note.

BY MR. ZIPES:

Q. And, again, I'm not asking for it, but presumably you can provide me with evidence that if

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document. We know that by the issue reference LB0602 that that refers to Long Beach Mortgage Loan Trust 2006-2 and we know that we act as trustee for that securitization trust.

BY MR. ZIPES:

Q. Okay. Just give me one second. Okay?

A. Yes.

Q. All right. I'm going to very quickly take you through two documents right now. USI -- what I

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10 have in the book as UST 2 in the index number, and  
11 we'll mark that as UST/Reyes 5.

12 (UST/Reyes Exhibit 5 was marked for  
13 identification and is bound separately.)

14 THE REPORTER: Okay.

15 MR. ZIPES: Yes. Is it marked?

16 THE WITNESS: Yes, I marked it.

17 BY MR. ZIPES:

18 Q. Okay. Good. You'll see, Mr. Reyes, that  
19 is an Assignment of Mortgage on top. Do you see  
20 that?

21 A. Yes.

22 Q. And it's signed by Scott Walter?

23 A. Yes.

24 Q. Have you seen this document before at all?

25 A. Yes.

50

1 Q. When did you see this document? When did  
2 you first see this document?

3 A. Yesterday.

4 Q. Would you be able to tell me if this  
5 document was part of the Deutsche Bank file based  
6 upon the loan information, loan file information or  
7 otherwise?

8 A. This document was not a part of the  
9 mortgage file that we sent.

10 MR. ZIPES: Okay. Let me move on to what

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11 is UST exhibit -- in the book is UST Exhibit 3 and  
12 we'll mark that as UST/Reyes 6.

13 (UST/Reyes Exhibit 6 was marked for  
14 identification and is bound separately.)

15 THE REPORTER: Okay.

16 BY MR. ZIPES:

17 Q. Okay. You guys are very fast. I'll ask  
18 that you flip through this document. First of all,  
19 the first page of this, do you see how it says  
20 "Recording And Endorsement Cover Page 1 of 4"?

21 A. Yes.

22 Q. And as you flip through to the third page,  
23 you will see there is an Assignment of Mortgage?

24 A. Yes.

25 Q. And that is signed by Ann Garbis?

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1 A. Yes.

2 Q. Is this document a part of the Deutsche  
3 Bank file?

4 A. No.

5 Q. Okay. Mr. Reyes, just so the record is  
6 clear, because I may not have fully understood. I  
7 think we're talking about the same thing now, but  
8 when I asked you -- when you were referring to the  
9 Deutsche Bank file of the nuer loan, you were  
10 referring to the information contained in the  
11 Complete Loan Information Page and also the -- what  
12 I'm calling the Loan Inventory, you had different

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13 words for both of those, but I think we're on --  
14 we're referring to the same documents at this point;  
15 is that accurate?

16 MR. TEITELBAUM: Objection to form.

17 Go ahead.

18 THE WITNESS: Yes.

19 MR. ZIPES: Okay. Let me just take one  
20 second and then I think I'm done.

21 MR. TEITELBAUM: Off the record.  
22 (Discussion held off record.)

23 BY MR. ZIPES:

24 Q. Mr. Reyes, I guess my final set of  
25 questions are looking at the complete loan file

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(Recess taken.)

15 BY MR. ZIPES:

16 Q. Let's go on the record. Mr. Ronaldo --

17 MR. TEITELBAUM: Reyes.

18 BY MR. ZIPES:

19 Q. Mr. Reyes. I apologize for that.

20 Mr. Reyes, turning to UST/Reyes 2, I had asked you  
21 if any documents had been pulled, words to that  
22 effect, between October 2008 and July of 2009. Do  
23 you recall when I said that?

24 A. Yes.

25 Q. And I just wanted to make sure it was

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1 information would this under classification  
2 attribute changes or otherwise, would this show you  
3 if -- strike that. I think the record is clear.  
4 Thank you. So I'm done with my questioning.

5 Do you want to switch over?

6 MR. TEITELBAUM: We're going to take a  
7 quick recess here so that we can just play musical  
8 chairs and take a quick break. So it might be a  
9 good time for you on your end if you need to take a  
10 quick break to do so. Why don't we just -- we'll  
11 resume in a minute or two.

12 MR. ZIPES: Okay. Thank you, Mr. Reyes.

13 THE WITNESS: Thank you.

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1 clear when I said pulled, not just physically,  
2 electronically or any other way, was there any --  
3 were these documents pulled in any way in between  
4 that time period?

5 A. Not according to our system of record.

6 MR. ZIPES: Okay. That is the only

7 question I had.

8 And, Jay, can you -- I don't know if we  
9 clarified on the record who you represent here and  
10 what your capacity is for representing Mr. Reyes.  
11 Can you just state that?

12 MR. TEITELBAUM: Sure. I thought we did.

13 This is Jay Teitelbaum from the Law Firm of  
14 Teitelbaum & Baskin. We are the attorneys for JP  
15 Morgan Chase as servicer and in that capacity we are

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16 counsel for Deutsche Bank as trustee for the Long  
17 Beach Mortgage Trust 2006-2 for which Chase is  
18 servicing. Okay?

19 MS. CHARNEY: And this is April Charney.  
20 Just confirming with Mr. Teitelbaum that you are  
21 appearing as the attorney for the deponent as an  
22 employee for Deutsche Bank National Trust Company?

23 MR. TEITELBAUM: In his -- yes, in his  
24 capacity as trustee for the trust.

25 MS. CHARNEY: So you are here, just to

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1 clarify in my own mind, you are the attorney of  
2 record for Chase as servicer, and you are the  
3 attorney of record for Deutsche Bank National Trust  
4 Company for whom Chase is an agent?

5 MR. TEITELBAUM: I'm not going to -- I  
6 stated what my representation is. If that is not  
7 acceptable to you, then I can't help you. I stated  
8 who I am representing. Okay? You want to move to  
9 ask the witness some questions because I'm not under  
10 oath?

11 MS. CHARNEY: Well, I know. But I need  
12 for the record to clarify who you are representing  
13 in this case.

14 MR. TEITELBAUM: I just said I represent  
15 Chase as servicer and in that capacity we are  
16 representing Deutsche Bank as trustee for the trust

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17 because Chase is the servicer and has the  
18 obligations under the various agreements to  
19 represent the trustee in connection with matters  
20 relating to mortgages under the pooling and  
21 Servicing Agreement. So we represent, if it makes  
22 your life easier, Mr. Reyes in his capacity as an  
23 employee of Deutsche Bank which is the trustee for  
24 the trust 2006-2.

25 MS. CHARNEY: So Deutsche Bank --

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1 MR. TEITELBAUM: I'm not answering another  
2 question on this. Please start asking the witness  
3 questions.

4 MS. CHARNEY: I just need to make clear --  
5 MR. TEITELBAUM: I am not answering -- you  
6 can make clear whatever you need to make clear. I  
7 am putting on the record I'm not answering another  
8 question of yours.

9 MS. CHARNEY: I appreciate that. But I'm  
10 going to ask one more, which is can you clarify that  
11 you represent Deutsche Bank National Trust Company  
12 in a status other than as the lawyer for Chase which  
13 is an agent of Deutsche Bank National Trust Company?

14 MR. TEITELBAUM: Ask your question of the  
15 witness, please.

16 MS. CHARNEY: Well, I still don't see that  
17 Deutsche Bank National Trust Company is represented  
18 here today. So unless you want to clarify that,

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19 Mr. Teitelbaum, I'm going to reserve that issue to  
20 the court as to whether you are being disingenuous  
21 in your statement as to who you represent here  
22 today.

23 MR. TEITELBAUM: Please ask the witness  
24 your questions.  
25

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EXAMINATION

1 BY MS. CHARNEY:

2 Q. Good afternoon, Mr. Reyes. I'm April  
3 Charney. I'm a lawyer with Jacksonville Area  
4 Legal-Aid in Jacksonville, Florida, so you know who  
5 I am. And I'm here today as co-counsel for the  
6 Debtor Mrs. Nuer. And I applied to proceed pro hoc  
7 vitae which means by leave of the court because I'm  
8 a lawyer from Florida and I'm not licensed in this  
9 state. So that is who I am. And I'm going to ask  
10 you some questions somewhat related to what you were  
11 just asked, but also additionally I'm going to talk  
12 to you some about the or ask you questions about the  
13 specific terms of the Pooling and Servicing  
14 Agreement.

15 But first, I have some preliminary  
16 questions which is do you spell your name more than  
17 one way?  
18 A. No.

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20 Q. Would you spell your name, please?  
21 A. R O N A L D O. Last name R E Y E S.

22 Q. Mr. Reyes, if I found some documents on  
23 file with the SEC that you signed as an assistant  
24 vice president for Deutsche Bank National Trust  
25 Company as trustee of an Ameriquest Mortgage Asset

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1 Backed Securities that spelled your name as -- your  
2 first name as R E N A L D O, is that you?

3 MR. TEITELBAUM: Objection. Can you  
4 please identify, for the record, how Mr. Reyes' signature in a matter wholly unrelated to this  
5 matter has any relevance to Mrs. Nuer or the loan in  
6 this case?  
7  
8 MS. CHARNEY: Well, you can reserve your  
9 objection.

10 But, Mr. Reyes, you can answer the  
11 question.

12 MR. TEITELBAUM: Objection. I'm referring  
13 to pages 31 and 32 of the March 18th transcript from  
14 Judge Gerber where he says to the extent practices  
15 in the industry or relations between various parties  
16 impacted upon Ms. Nuer, they are fair game for  
17 discovery. If they are wholly unrelated to anything  
18 affecting Ms. Nuer, my ruling now subject to some  
19 showing of relevance of which I am now unaware is  
20 that it is not discoverable.

21 And I'm directing the witness not to  
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22 answer the question based upon the ruling of Judge  
23 Gerber.  
24 MS. CHARNEY: Okay. Do we know if Judge  
25 Gerber is in chambers today so we can call him?

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1 MS. TIRELLI: We can certainly call him  
2 up.

3 MS. CHARNEY: Okay. Then we are going to  
4 have to take a break. Let me just state for the  
5 record so you understand. I have the right to take  
6 this gentleman's deposition. And I have a right to  
7 determine if he uses aliases. And I have a right to  
8 determine enough information through this deposition  
9 to determine his reliability and credibility. That  
10 is my job as a lawyer. So if I want to ask him if  
11 he spells his name another way, and I have a  
12 document that I have referred to to indicate that it  
13 is relevant because he signed using a different  
14 spelling of his name as an assistant vice president  
15 of Deutsche Bank National Trust Company, I think  
16 that is clearly relevant.  
17 MR. TETTELBAUM: Well, you haven't shown  
18 me that document.  
19 MS. CHARNEY: Would you like to call the  
20 Judge?  
21 MR. TETTELBAUM: You haven't shown me that  
22 document.

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23 MS. CHARNEY: You directed the witness not  
24 to answer. Are you sticking with that? We'll take  
25 a break right now and call the Judge. I don't have

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1 to show the document. I've asked him if he has  
2 spelled his name a different way and signed with  
3 documents as an assistant vice president for  
4 Deutsche Bank National Trust Company on file with  
5 the SEC. I'm happy to show the document, but that  
6 is irrelevant that is not related to the question.  
7 I just want to know if he spells his name more than  
8 one way.

9 MR. TETTELBAUM: He answered that  
10 question.

11 MS. CHARNEY: And I'm clarifying because I  
12 have documents to show that he does spell or there  
13 is a misstate in the document and I'm trying to  
14 clarify which it is.

15 MR. TETTELBAUM: I'm looking at over your  
16 shoulder at the document and I don't see Mr. Reyes'  
17 handwritten signature on it.

18 MS. CHARNEY: Again, are you going to  
19 stick with your --

20 MR. TETTELBAUM: I am going to -- if your  
21 issue here is to determine the --

22 MS. CHARNEY: Let me ask the question

23 again.

24 MR. TETTELBAUM: Wait. Let me finish. If

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25 your questioning here is to determine the witness'

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1 credibility, I will allow the witness to answer a  
2 line of questions. However, to the extent that we  
3 run afiel of what Judge Gerber ruled on March 18th,  
4 I am perfectly happy to contact chambers and deal  
5 with those issues on a telephonic conference, if  
6 necessary. So if you want to ask your question  
7 again, go ahead, but what I'm telling you is that  
8 this is because of your statement that it's relating  
9 to the witness' credibility and identification. So  
10 go ahead.

11 BY MS. CHARNEY:

12 Q. Mr. Reyes, is your name spelled  
13 differently for filings that you have filed with the  
14 SEC where you have signed as an assistant vice  
15 president for Deutsche Bank National Trust Company  
16 as trustee?

17 MR. TEITELBAUM: And before you answer,  
18 can I ask a question? Has this document that you  
19 are referring to been produced to the parties as  
20 Judge Gerber ordered when he ordered the telephonic  
21 deposition that the documents be produced to the  
22 parties before the deposition?

23 MS. CHARNEY: I'm not introducing a  
24 document. I'm asking him if it's the same person  
25 and his name is spelled differently.

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1 MR. TEITELBAUM: I'm asking you a very  
2 simple question. Has the document been previously  
3 produced as ordered by the judge?

4 BY MS. CHARNEY:

5 Q. Mr. Reyes, please answer the question.

6 MR. TEITELBAUM: Go ahead. Answer the  
7 question. And I'm going to note for the record that  
8 the document has not been produced to me so I do not  
9 know what you are referring to.

10 Go ahead.

11 THE WITNESS: I'm sorry, can you please

12 repeat the question?

13 BY MS. CHARNEY:

14 Q. Do you know whether you have signed

15 documents that have been filed with the SEC in your  
16 capacity as assistant vice president for Deutsche  
17 Bank National Trust Company where your first name is  
18 spelled R E N A L D O?

19 A. Not to my knowledge.

20 Q. How long have you been employed as an  
21 assistant vice president at Deutsche Bank National  
22 Trust Company?

23 MR. TEITELBAUM: Objection. That wasn't  
24 the testimony.

25 BY MS. CHARNEY:

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1 Q. You can answer.  
2 A. I was an assistant vice president at  
3 Deutsche Bank National Trust Company from  
4 approximately 2002 to 2005.  
5 Q. So during the years from including the  
6 years 2002, 2003, 2004 you were an assistant vice  
7 president for Deutsche Bank National Trust Company?  
8 A. And through December '05 until I became a  
9 vice president.  
10 Q. Mr. Reyes, have you had occasion to  
11 purchase property in Florida --  
12 MR. TEITELBAUM: Objection.  
13 BY MS. CHARNEY:  
14 Q. -- during the time that you've been an  
15 employee of Deutsche Bank National Trust Company?  
16 MR. TEITELBAUM: And you are referring to  
17 his capacity how? As an individual?  
18 MS. CHARNEY: As a person? Yes. You  
19 know, you are interrupting my questions and that is  
20 not your job, Mr. Teitelbaum. I'll ask the question  
21 again.  
22 Mr. Reyes, since you've been an employee  
23 of Deutsche Bank National Trust Company have you as  
24 an individual purchased property in Florida?  
25 MR. TEITELBAUM: Objection. I direct the  
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1 witness not to answer the question.  
2 MS. CHARNEY: Then we need to have a  
3 conference.  
4 MR. TEITELBAUM: Then we need to have a  
5 conference with the judge. You can go into another  
6 room. I'm not going into another room.  
7 MR. ZIPES: I'm not going to be involved  
8 with this telephone conference with the judge. I  
9 don't think the judge is going to take kindly to the  
10 telephone conference at this point.  
11 MS. CHARNEY: Are you directing -- again,  
12 the purpose of my question is to determine the  
13 credibility and reliability of this witness'  
14 testimony. So I'm trying to determine if this is  
15 another person that is related to Mr. Reyes who had  
16 dealings with property involving Deutsche Bank  
17 National Trust Company and JP Morgan Chase in  
18 Florida. And I'm also intending to ask him about  
19 Nevada.  
20 MR. TEITELBAUM: We can -- we might as  
21 well call the judge because the witness is not  
22 answering questions about properties he may have  
23 purchased in his individual capacity.  
24 MS. CHARNEY: Involving his employer.  
25 MR. TEITELBAUM: If it doesn't involve  
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1 this loan, it does not involve Mr. Reyes answering  
2 the question.

3 MR. ZIPES: I have a suggestion, ask your  
4 questions, let him object, and then we're going to  
5 take a break.

6 BY MS. CHARNEY:

7 Q. Mr. Reyes, I have to ask you for the  
8 record, although I expect Mr. Teitelbaum to object,  
9 the same question with respect to whether you as an  
10 individual have purchased property in the State of  
11 Nevada involving your employer Deutsche Bank  
12 National Trust Company and/or JP Morgan Chase during  
13 the term of your employment at Deutsche Bank  
14 National Trust Company?

15 MR. TEITELBAUM: Objection. Direction not  
16 to answer the question based upon the Judge's March  
17 18th rules.

18 MS. CHARNEY: Could you state some other  
19 basis for your objection having to do with one of  
20 the rules of evidence that we --

21 MR. TEITELBAUM: I have a ruling of the  
22 court. And because in New York the practice is that  
23 relevance is not a basis to direct the witness not  
24 to answer. However, based upon a ruling of the  
25 court that says that with respect to Ms. Nuer

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2 you were not there, but I assume you've read the  
3 transcript if you've come into this case, the judge  
4 directed his ruling to Ms. Nuer and counsel for  
5 Ms. Nuer that unless the matter bears directly upon  
6 this loan and Ms. Nuer it is not discoverable absent  
7 some showing of relevance which needs to be shown to  
8 the court. That is the basis for my objection and  
9 the basis for my direction to the witness not to  
10 answer the question.

11 MS. CHARNEY: Okay. And just so you are  
12 aware, the direction of my question is to the  
13 witness' credibility having nothing to do with  
14 Ms. Nuer's loan.

15 MR. TEITELBAUM: All due respect --

16 MS. CHARNEY: Only to the witness.

17 MR. TEITELBAUM: Okay. Ask your questions  
18 and I'll make my objections.

19 BY MS. CHARNEY:

20 Q. Mr. Reyes, have you purchased foreclosed  
21 properties in the State of Nevada and Florida?

22 MR. TEITELBAUM: Objection. Direction not  
23 to answer the question. March 18th ruling of Judge  
24 Garber.

25 BY MS. CHARNEY:

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1 specifically, and we were all there, Ms. Charney,

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1 Q. Mr. Reyes, are you taking -- you have to  
2 answer the question either yes or no or some other  
3 way. I understand that your counsel is directing

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4 you not to answer, but you actually have to answer  
5 something.

6 MR. TEITELBAUM: No, you don't have to  
7 answer the question if I'm directing you not to  
8 answer the question.

9 BY MS. CHARNEY:

10 Q. Then, Mr. Reyes, the question is: Are you  
11 refusing to answer that question on the basis of the  
12 direction from your attorney not to answer the  
13 question?

14 MR. TEITELBAUM: Mr. Reyes is not refusing  
15 to answer anything. He is following the advice of  
16 counsel.

17 BY MS. CHARNEY:

18 Q. Is that what you are doing, Mr. Reyes?  
19 You are refusing to answer the question on the basis  
20 of advice of counsel?

21 MR. TEITELBAUM: Direction not to answer  
22 the question. The witness has been directed not to  
23 answer the question.

24 Mr. Reyes, are you willing to -- are you  
25 following my advice and not answering the question?

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1 THE WITNESS: Yes.

2 MR. TEITELBAUM: Thank you.

3 BY MS. CHARNEY:

4 Q. Mr. Reyes, are you familiar with the

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5 foreclosure lawsuit that was filed against Silvia  
6 Nuer on March 20, 2008?

7 A. No.

8 Q. Do you know or do you have any records  
9 within the scope of your employment at Deutsche Bank  
10 National Trust Company that would inform you as to  
11 why a foreclosure action was filed against Ms. Nuer  
12 at a time when you've already testified this loan  
13 was in the trust for which Deutsche Bank National  
14 Trust Company is the trustee?

15 A. No.

16 MR. TEITELBAUM: I'm sorry. I don't  
17 understand the question.

18 BY MS. CHARNEY:

19 Q. Mr. Reyes, do you -- does Deutsche Bank  
20 National Trust Company have a relationship with  
21 Washington Mutual Bank as successor by merger to  
22 Long Beach Mortgage Company?

23 MR. TEITELBAUM: Objection. You can  
24 answer.

25 THE WITNESS: With respect to the Nuer

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1 matter Deutsche Bank National Trust Company as  
2 trustee as well as Washington Mutual as servicer is  
3 party to the Pooling and Servicing Agreement.

4 BY MS. CHARNEY:

5 Q. Mr. Reyes, if you know, on March 20th,  
6 2008, did Washington Mutual Bank exist?

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7 A. To my knowledge, yes.

8 Q. As of that date on March 20, 2008, from  
9 the records that you testified to already today do  
10 you have any information to inform you that the loan  
11 file maintained by your office was transferred  
12 electronically, by mail or in any other fashion to  
13 anyone prior to March 20, 2008?

14 A. I don't understand the question.

15 Q. Based on the records that you have in  
16 front of you today that you've already testified to,  
17 can you identify any entity that your employer  
18 Deutsche Bank National Trust Company transferred the  
19 loan, your company's loan data to -- the Nuer loan  
20 data to any entity before March 20, 2008?

21 A. The Nuer loan became a part of the long  
22 Beach 2006-2 trust effective the closing date of  
23 March 7, 2006.

24 Q. I appreciate that, but it's not responsive  
25 to the question. But let's assume that was -- can

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1 we refer to that as the boarding date for the loan?

2 March 6, 2000 --

3 A. March 7th.

4 Q. Sorry, March 7th, 2006?

5 MR. TETTELBAUM: Objection to the form.

6 If you want to define what boarding means?

7 BY MS. CHARNEY:

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8 Q. You can answer the question, if you can.

9 A. The mortgage pool which the depositor  
10 under the Pooling and Servicing Agreement conveyed  
11 all right, title and interest to the trustee  
12 included the Nuer loan effective March 7, 2006.

13 Q. And from that date through March 20th,  
14 2008, was your company's Nuer loan file transmitted  
15 by fax, by mail, electronically, in person, in any  
16 form or fashion to anyone between those two dates?

17 A. As I testified earlier, I am only aware of  
18 the release of the mortgage file pursuant to our  
19 system of record.

20 Q. And that date again was?

21 A. I have to pull the exhibit. This is  
22 Exhibit 2. We released the mortgage file to Chase  
23 on 7/1/2009. It was returned on 7/24/09. And we  
24 again released the mortgage file to Chase on  
25 September 3rd, 2009.

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1 Q. If you know, between the March 7th, 2006

2 date and the July 1, 2009 date, is there any other  
3 entity that would have access to this loan file, the  
4 Nuer loan file before you released the file on  
5 July 1, '09 to Chase?

6 A. Yes.

7 Q. Please explain.

8 A. From my working knowledge it is typical in  
9 securitization trust that a servicer also has copies

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10 of the note and other related documents.

11 Q. And that is from your knowledge of your  
12 company's policies and procedures? Yes?

13 MR. TETTELBAUM: Objection.

14 THE WITNESS: No. As I stated, it's from  
15 my working knowledge that for a servicer to service  
16 a mortgage file they have certain records such as a  
17 copy of the note Deutsche Bank as trustee maintains  
18 the original.

19 BY MS. CHARNEY:

20 Q. And who is the servicer with respect to  
21 the Nuer loan?

22 A. The named Master Servicer under the  
23 Pooling and Servicing Agreement is Long Beach  
24 Mortgage Company. The Sub Servicer is Washington or  
25 was Washington Mutual.

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1 Q. Then it would -- your testimony indicates

2 to me, and correct me if I'm wrong, that actually  
3 more than one entity has a copy of the loan file,  
4 that would be at least Deutsche Bank National Trust  
5 Company and the custodian under the pooling and  
6 Servicing Agreement; is that correct?

7 MR. TETTELBAUM: Objection.

8 You can answer.

9 THE WITNESS: As I stated, Deutsche Bank  
10 National Trust Company as trustee maintains the

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11 original loan documents. From my working knowledge  
12 servicers may have a copy of the loan documents for  
13 servicing purposes.

14 BY MS. CHARNEY:

15 Q. Do you know whether the servicer's copy  
16 would be the same as the loan file maintained by  
17 Deutsche Bank National Trust Company?

18 A. Yes.

19 Q. It's not a hard copy, is it?

20 A. The original is a hard copy which we  
21 maintain.

22 Q. Would the servicer have a paper copy of  
23 the file based on your working knowledge?

24 A. Yes.

25 Q. The file that you maintain for Deutsche

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1 Bank National Trust Company on the Nuer loan for the  
2 mortgage contains an assignment in blank; is that  
3 correct?

4 A. Correct.

5 Q. And you have no other record of an  
6 assignment of the mortgage in your file?

7 A. Correct.

8 Q. Do you have an independent file maintained  
9 by your employer that shows what file the servicer  
10 has regarding the Nuer loan?

11 A. No.

12 Q. So you don't know whether the servicer has

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13 had other assignments or other documents relating to  
14 the Nuer mortgage or the Nuer note; is that correct?  
15 A. Other than the two assignments that I saw  
16 yesterday, I refer to the exhibit from earlier  
17 today Exhibit 5 and Exhibit 6 which I first saw  
18 yesterday.  
19 Q. Your testimony is that the Nuer loan file  
20 that Deutsche Bank National Trust Company has came  
21 from the original custodian Long Beach Mortgage  
22 Company; is that correct?  
23 MR. TEITELBAUM: Objection.  
24 You can answer, if you know.  
25 THE WITNESS: Yes, I would refer to Long

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1 Beach Mortgage Company as the originator and seller.  
2 BY MS. CHARNEY:  
3 Q. Is your testimony the chain of custody of  
4 your company's loan -- Nuer loan file came from the  
5 hands of the originating lender through the  
6 custodian which is Long Beach Mortgage Company to  
7 Deutsche Bank National Trust Company?  
8 A. My testimony is as the Pooling and  
9 Servicing Agreement and Mortgage Loan Purchase  
10 Agreement define the conveyance of the mortgage  
11 loans including the Nuer loan from Long Beach  
12 Mortgage Company to Long Beach Securities Corp. to  
13 Deutsche Bank National Trust Company as trustee.

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14 Q. With respect to what you just mentioned  
15 Long Beach Securities Corporation, can you identify  
16 any document in your company's file that shows Long  
17 Beach Securities Corporation in the chain of title  
18 on the mortgage?  
19 MR. TEITELBAUM: Objection.  
20 THE WITNESS: Yes. The underlying  
21 Mortgage Loan Purchase Agreement and Pooling and  
22 Servicing Agreement are documents that Long Beach  
23 Securities Corp. is party to.  
24 BY MS. CHARNEY:  
25 Q. Now, that is an umbrella agreement,

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1 Mr. Reyes; correct?  
2 MR. TEITELBAUM: Objection.  
3 THE WITNESS: I don't know what you mean.  
4 BY MS. CHARNEY:  
5 Q. Well, thus far in the deposition we're  
6 referring to specific assignments which take a  
7 mortgage and transfer it from one entity to another;  
8 is that correct?  
9 MR. TEITELBAUM: Objection.  
10 THE WITNESS: Yes. And as I described --  
11 BY MS. CHARNEY:  
12 Q. That answers my question, but let me ask  
13 you another question now. With respect to your  
14 answer as to the same question of whether we have  
15 assignments tracking the transfer to Long Beach

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16 Securities Corporation you defaulted to this  
17 agreement as opposed to an assignment; is that  
18 correct?  
19 MR. TEITELBAUM: Objection. And I am  
20 going to direct the witness not to answer the  
21 question because you are asking for legal  
22 conclusions and you are making certain legal  
23 assumptions as to the necessity for a written  
24 assignment under New York law with respect to the  
25 transfer of a mortgage and note.

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1 BY MS. CHARNEY:  
2 Q. Well, you can answer -- you are directing  
3 him not to answer on what basis?  
4 MR. TEITELBAUM: You are asking him -- you  
5 are making a legal assumption --  
6 MS. CHARNEY: Well, maybe I'll rephrase  
7 the question. Mr. Reyes --  
8 MR. TEITELBAUM: Let me finish my  
9 statement. You are making a legal assumption as to  
10 the method pursuant to which a mortgage under New  
11 York law is to be conveyed. And it's an incorrect  
12 legal assumption in addition. Maybe it is because  
13 you are from Florida. But the fact of the matter is  
14 that you are making a legal assumption. Mr. Reyes  
15 has testified with respect to the documents with  
16 which he deals in his capacity as trustee as to his

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17 understanding. If that is not sufficient, you can  
18 ask the same question a half a dozen times and the  
19 answer is not going to change.  
20 BY MS. CHARNEY:  
21 Q. Mr. Reyes, let me try to ask the question  
22 another way, since your counsel seems to want to  
23 interfere a lot here.  
24 MR. TEITELBAUM: Objection.  
25 Go ahead.

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1 BY MS. CHARNEY:  
2 Q. Is there anything other than the mortgage  
3 purchase agreement that identifies a transfer of the  
4 mortgage from Long Beach Mortgage Company to Long  
5 Beach Securities Corporation?  
6 A. To answer your question, the pooling and  
7 Servicing Agreement in section 2.01 states that one  
8 of the documents in the mortgage file that the  
9 trustee is to receive is an assignment to blank. We  
10 did receive an assignment to blank from Long Beach  
11 Mortgage Company.  
12 Q. Correct me if I'm wrong, but my  
13 understanding is that the transfer pursuant to the  
14 Pooling and Servicing Agreement has to come from the  
15 originating lender to the custodian and then to the  
16 trustee; is that correct?  
17 MR. TEITELBAUM: Objection. You have the  
18 document and it's not correct.

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BY MS. CHARNEY:

Q. Mr. Reyes --

MR. TEITELBAUM: No. No. No. You have the document. And if you want to refer to the document specifically rather than try to trick the witness, then do that. The document in Section 2.1 that the witness is referring to and the mortgage

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Mortgage Corporation to Long Beach Securities Corporation? Just the mortgage?

MR. TEITELBAUM: Objection. You are assuming the mortgage got transferred separately from the note.

BY MS. CHARNEY:

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1 loan agreement specify the method pursuant to which  
2 the documents shall move. If you want to make  
3 reference to those documents, please do so. I'm  
4 going to direct the witness not to answer the  
5 question.

BY MS. CHARNEY:

Q. Mr. Reyes, would you describe how and when  
8 Long Beach Securities Corporation obtained an  
9 ownership interest of the Nuer mortgage?

A. Per the note that was presented as an  
11 exhibit earlier Long Beach Mortgage Company was the  
12 originator of that note.

Q. I'm talking about the mortgage, Mr. Reyes?

A. The mortgage was also an original document  
14 that we received effective the closing date. We  
15 have a copy of -- well, we have the -- we are  
16 custodian for the original mortgage.

Q. I'll try to make it simpler. On what date  
19 did the mortgage get transferred from Long Beach

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Q. Can you answer the question, Mr. Reyes?

A. Yes. As the mortgage loan purchase  
3 agreement contemplates the transfer of the mortgage  
4 loans will be effective the closing date. That  
5 closing date under the Pooling and Servicing  
6 Agreement is the date that all right title interest  
7 in the mortgage loans is conveyed to the trustee.

Q. So you are talking about the closing date  
9 under Section 2 of the Pooling and Servicing  
10 Agreement?

A. Closing date is a defined term under the  
12 Pooling and Servicing Agreement.

Q. Now, Mr. Reyes, let me ask you, at the  
14 time that Deutsche Bank National Trust Company as  
15 trustee acquires ownership of the mortgage, the loan  
16 has to be current and not in default; is that  
17 correct?

MR. TEITELBAUM: Objection. And I'm going  
19 to ask the question right now as to how the  
20 conveyance from the originator to either Long Beach  
21 Securities or the trust effects the right

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22 economically or legally of Ms. Nuer in this case?  
23 And unless you can provide that to me, I'm going to  
24 direct the witness not to answer the question and  
25 then we can call the judge.

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1 BY MS. CHARNEY:

2 Q. Mr. Reyes, you can answer the question, if  
3 you can?

4 MR. TEITELBAUM: I'm directing the witness  
5 not to answer the question. If you want to ask  
6 questions about how this transaction or how these  
7 facts effect Ms. Nuer and this loan, please do so.

8 MS. CHARNEY: Ms. Nuer has raised in her  
9 papers with the court the allegation of fraud on the  
10 court by your client. And on that basis the issue  
11 of fraud on the court relates to the failure of this  
12 trust to take ownership of this loan within the  
13 terms of its own Pooling and Servicing Agreement.

14 And so on that basis if at the time that your client  
15 filed a proof of claim saying one thing to the court  
16 when it was fully aware that things were actually  
17 another way going to material matters of ownership  
18 of the loan and the right to have standing and real  
19 party in interest to pursue motion for relief from  
20 stay, that is an issue brought on the court reserved  
21 by Ms. Nuer's pleadings.

22 MR. TEITELBAUM: We have a factual

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23 disagreement as to what is relevant to those issues.  
24 MS. CHARNEY: I think that, you know, the  
25 court is the arbitrator of what is relevant,

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1 Mr. Teitelbaum. And at this point, you are  
2 interrupting this deposition to the point that we  
3 can't have a deposition. I have tried to be really  
4 patient, but I am only asking questions that are  
5 strictly relevant to the issue of whether there has  
6 been a fraud on this court. And Ms. Nuer as a  
7 debtor in this bankruptcy has standing to raise that  
8 issue.

9 MR. TEITELBAUM: That is fine. I'm not  
10 disagreeing with you on that.

11 BY MS. CHARNEY:

12 Q. Then I'll ask the question, again,

13 Mr. Reyes --

14 MR. TEITELBAUM: But --

15 THE WITNESS: Excuse me.

16 BY MS. CHARNEY:

17 Q. -- pursuant to the Pooling and Servicing  
18 Agreement can Deutsche Bank National Trust Company  
19 take ownership of this loan on a date when it's in  
20 default, in a payment default?

21 A. I don't know.

22 Q. Mr. Reyes, you testified that you have a  
23 degree in economics; correct?

24 A. Yes.

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25 Q. And you testified that within the scope of  
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1 your employment you work in the structured finance  
2 group for Deutsche Bank National Trust Company;  
3 correct?

4 A. Correct.

5 Q. And that within your employment duties you  
6 manage custodial trusts and handle administrative  
7 services for the trust?

8 A. Yes.

9 Q. Would you agree that within the scope of  
10 your employment and your responsibilities as a vice  
11 president for Deutsche Bank National Trust Company  
12 in the structured finance group that you should know  
13 whether this trust can acquire an ownership interest  
14 in the Nuer loan at a time when it was in a payment  
15 default status?

16 MR. TETTELBAUM: Can I just ask, and I'm  
17 going to -- wait. I'm going to object. And I'm  
18 going to make the observation that Ms. Tirelli has  
19 the Pooling and Servicing Agreement. She's attached  
20 it to her pleadings. You are asking the witness  
21 from his recollection with respect to specific terms  
22 of that document without showing it to him. If you  
23 would like to show him the document, perhaps he can  
24 assist you in answering the question.

25 BY MS. CHARNEY:

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1 Q. Mr. Reyes, first of all, you have the  
2 exhibit as part of Ms. Nuer's documents that were  
3 presented to you today prior to the deposition.  
4 It's No. 6, tabbed 6.

5 MR. TETTELBAUM: But for the record, those  
6 documents were delivered to the court reporter. And  
7 Mr. Reyes has not had an opportunity to see them.  
8 They have not been referred to by you during this  
9 deposition. I have not had an opportunity to see  
10 them prior to today. Although the U.S. Trustee and  
11 Chase did exchange as ordered by the court documents  
12 they were prepared to use at this deposition with  
13 all parties. Ms. Nuer did not provide with the  
14 direction of the court in that regard. So if you  
15 want to direct Mr. Reyes to a specific document  
16 delivered to him today, please do so.

17 BY MS. CHARNEY:

18 Q. Mr. Reyes, in your affidavit that you  
19 signed, did you testify to the court that you were  
20 familiar with the Pooling and Servicing Agreement  
21 involved in this action?

22 MR. TETTELBAUM: You might refer to the  
23 one that has been marked already.

24 MR. ZIPES: It is USI/Reyes 1.

25 BY MS. CHARNEY:

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1 Q. One moment. I just had it. I put it  
2 aside. Here we go. Mr. Reyes, do you have a copy  
3 of your affidavit? It's under tab -- it's No. 1 on  
4 the Nuer documents. And it is also No. 6 in the  
5 U.S. Trustee's exhibits that were presented to you.  
6 MR. TEITELBAUM: The document was  
7 previously marked, just for clarity, as USF/Reyes 1  
8 earlier today. And I just think for the sake of  
9 having one document reviewed, let's try to stick  
10 with that document.  
11 BY MS. CHARNEY:  
12 Q. If you could review your affidavit,  
13 Mr. Reyes, and Paragraph 3. Is it correct that you  
14 swore under oath in Paragraph 3 that Deutsche Bank  
15 is the trustee under a Pooling and Servicing  
16 Agreement dated as of March 1, 2006; correct?  
17 A. Yes.  
18 Q. Did you review that Pooling and Servicing  
19 Agreement?  
20 A. Yes.  
21 Q. And it lists according to your affidavit  
22 Long Beach Securities Corp. as the depositor; is  
23 that correct?  
24 A. Yes.  
25 Q. Do you have any document in your files on

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1 behalf the Deutsche Bank National Trust Company  
2 aside from the Mortgage Loan Purchase Agreement that  
3 references a transfer of the Nuer loan from Long  
4 Beach Securities Corp. as the depositor to Deutsche  
5 Bank National Trust Company?  
6 MR. TEITELBAUM: Objection.  
7 You can answer.  
8 THE WITNESS: It's not required under the  
9 Pooling and Servicing Agreement. The Pooling and  
10 Servicing Agreement allows for the assignment in  
11 blank from Long Beach Mortgage Company which we did  
12 receive.  
13 BY MS. CHARNEY:  
14 Q. Now, you are indicating familiarity with  
15 the Pooling and Servicing Agreement, so I'll ask you  
16 again, does the Pooling and Servicing Agreement  
17 allow for such a transfer on a date when the loan,  
18 the underlying mortgage loan is in a payment default  
19 status?  
20 MR. TEITELBAUM: Objection. Assuming  
21 facts not in evidence. You are assuming that the  
22 loan was in payment default.  
23 MS. TIRELLI: She didn't say that.  
24 BY MS. CHARNEY:  
25 Q. Can you answer the question, Mr. Reyes?

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1 A. I don't know.  
2 Q. Why don't you know?

3 MR. TEITELBAUM: Objection.

4 THE WITNESS: An originator may make  
5 representations and warranties. Under the Pooling  
6 and Servicing Agreement they are accepted upon their  
7 face. All that is required under the Pooling and  
8 Servicing Agreement for us to accept the loan is  
9 under 2.01 that we perform a review of the mortgage  
10 file.

11 BY MS. CHARNEY:

12 Q. Can you tell me when Deutsche Bank  
13 National Trust Company made that review?

14 A. Yes. As I stated earlier, referring to  
15 Exhibit UST 2 the initial loan review was performed  
16 by Deutsche Bank National Trust Company on  
17 1/13/2006.

18 Q. And the origination date of the loan is  
19 January 6, 2006; correct?

20 A. If I may look at the note, I don't know  
21 off the top of my head the actual loan origination  
22 date. Yes, I see that the note is dated January 6,  
23 2006.

24 Q. So then based on that, your testimony,  
25 Mr. Reyes, is that the loan was originated on the

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2 through an assignment in blank to the custodian Long  
3 Beach Mortgage -- excuse me -- Long Beach Securities  
4 Corporation within those five days prior to the  
5 transfer of the mortgage to Deutsche Bank National  
6 Trust Company?

7 MR. TEITELBAUM: Objection.

8 You can answer.

9 THE WITNESS: Again, I refer you to the  
10 Mortgage Loan Purchase Agreement and the Pooling and  
11 Servicing Agreement. The conveyance of the mortgage  
12 loans occurs in both documents concurrently on the  
13 closing date March 7, 2006. And we received an  
14 assignment in blank pursuant to the Pooling and  
15 Servicing Agreement.

16 BY MS. CHARNEY:

17 Q. Mr. Reyes, under section -- Article II,  
18 Section 2.01 subsection (d) of the Pooling and  
19 Servicing Agreement Deutsche Bank National Trust  
20 Company as the trustee had to receive an original  
21 recorded assignment of the mortgage showing a  
22 complete chain of assignment from the originator to  
23 the person assigning the mortgage to the trustee or  
24 in blank; is that correct?

25 A. Yes, that is what that section states.

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1 6th of January 2006, transferred the mortgage

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1 Q. Do you have an original recorded  
2 assignment showing a complete chain of assignments  
3 from the originator to the person that assigned the

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4 mortgage to Deutsche Bank National Trust Company?  
5 A. I'm sorry. Repeat the question, please?  
6 Q. Do you have in your files of your employer  
7 the original recorded assignment or assignments  
8 showing a complete chain of assignments from the  
9 originator to the person assigning the mortgage to  
10 Deutsche Bank National Trust Company?  
11 MR. TEITELBAUM: Objection. If you are  
12 going to read a clause please read it to the end.  
13 BY MS. CHARNEY:  
14 Q. Mr. Reyes, can you answer the question?  
15 A. Yes. As I stated before, under this  
16 section (d) we may receive an assignment in blank.  
17 Q. I appreciate that. But I'm looking for an  
18 original recorded assignment. Do you have one?  
19 MR. TEITELBAUM: Objection.  
20 THE WITNESS: Section (d) states that we  
21 may receive an original recorded assignment or an  
22 assignment and there is the clause that after a  
23 complete chain of assignments from the originator to  
24 the person who assigned the mortgage or to the  
25 trustee or in blank. We received the assignment in

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1 blank.  
2 BY MS. CHARNEY:  
3 Q. So correct me if I'm wrong, but your  
4 testimony is, then, if you have an unrecorded

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5 assignment in blank from an originating lender on  
6 the date of origination without evidence of a  
7 transfer to the custodian that that is all you have  
8 to have under your Pooling and Servicing Agreement  
9 to show that Deutsche Bank National Trust Company is  
10 the owner of the Nuer loan?  
11 MR. TEITELBAUM: Objection. I'm trying to  
12 follow your assumptions in your statement and maybe  
13 you can do it again. I just didn't follow all of  
14 that.  
15 BY MS. CHARNEY:  
16 Q. Mr. Reyes, did you understand the  
17 question?  
18 A. Can you please repeat the question?  
19 Q. Is it your testimony that under the  
20 Pooling and Servicing Agreement under section  
21 Article II, Section 2.01 sub (d) that Deutsche Bank  
22 National Trust Company does not need an original  
23 recorded assignment showing a complete chain of  
24 assignments from the originator to the person  
25 assigning the mortgage to Deutsche Bank National

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1 Trust Company?  
2 A. Yes. Because that subsection (d) is also  
3 consistent with the underlying Mortgage Loan  
4 Purchase Agreement. In the underlying Mortgage Loan  
5 Purchase Agreement under Section 4, Romanette (iv),  
6 it's the same language where the assignment in blank

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7 is contemplated in the Mortgage Loan Purchase  
8 Agreement and the Pooling and Servicing Agreement.

9 Q. Mr. Reyes -- bear with me -- Mr. Reyes,  
10 what is the date of the assignment of the Nuer  
11 mortgage from the person assigning the mortgage to  
12 Deutsche Bank National Trust Company?

13 MR. TEITELBAUM: Objection to form.  
14 Go ahead.

15 THE WITNESS: If you are referring to the  
16 assignment in blank I will have to pull that exhibit  
17 to tell you the date. I am looking at the colored  
18 copy of the mortgage file for which we act as --  
19 Deutsche Bank acts as trustee and custodian. It's  
20 Bates stamped 1605. The assignment of mortgage to  
21 blank from Long Beach Mortgage Company, it is dated  
22 1/12/2006.

23 BY MS. CHARNEY:  
24 Q. Mr. Reyes, was this an assignment of  
25 mortgage from Long Beach Mortgage Company to Long

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1 Beach Securities Company?  
2 A. Again, it is an assignment in blank which  
3 is contemplated in the Mortgage Loan Purchase  
4 Agreement and the Pooling and Servicing Agreement.  
5 Q. Well, is it an assignment to Long Beach  
6 Securities Company or to Deutsche Bank National  
7 Trust Company?

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8 MR. TEITELBAUM: Objection. Asked and  
9 answered.

10 One more time. Go ahead.

11 THE WITNESS: As I stated earlier, both  
12 the Mortgage Loan Purchase Agreement and Pooling and  
13 Servicing Agreement contemplate an assignment in  
14 blank. The transfer of the mortgage loans to the  
15 trustee is contemplated in the Mortgage Loan  
16 Purchase Agreement effective the closing date as  
17 well as the Pooling and Servicing Agreement.

18 BY MS. CHARNEY:

19 Q. Mr. Reyes, I'll ask you one more time.  
20 The assignment of mortgage that you just referred to  
21 that is dated January 12th, 2006, from Long Beach  
22 Mortgage Company in blank which is an assignment of  
23 the Nuer mortgage is that an assignment to Long  
24 Beach Securities Company or to Deutsche Bank  
25 National Trust Company? Or both? Or neither?

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1 MR. TEITELBAUM: Objection.  
2 THE WITNESS: Again --  
3 BY MS. CHARNEY:  
4 Q. It is -- you can answer the question.  
5 A. Again, the conveyance of the mortgage  
6 loans under the Mortgage Loan Purchase Agreement and  
7 the Pooling and Servicing Agreement occurs  
8 concurrently on the same date. That is why the  
9 assignment in blank is contemplated in these

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10 documents. This is typical of securitization  
11 documents.

12 Q. Mr. Reyes, is it typical of what you see  
13 in the securitization documents that you work with?  
14 Is that what you are saying?

15 A. Yes. And it is stated specifically in the  
16 matter that is at hand, as I stated, the conveyance  
17 of the mortgage loans under the Mortgage Loan  
18 Purchase Agreement and the Pooling and Servicing  
19 Agreement occur concurrently effective the closing  
20 date. And both documents contemplate an assignment  
21 of mortgage to blank.

22 Q. By concurrently do you mean  
23 simultaneously?

24 A. I mean on the closing date as defined in  
25 the Mortgage Loan Purchase Agreement and the Pooling

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1 and Servicing Agreement.

2 Q. Mr. Reyes, could you state chronologically,  
3 in order how you believe the transfer of this  
4 mortgage, the Nuer mortgage, went from the date of  
5 origination until the present day?

6 A. My knowledge is only based on the  
7 documents at hand. So the mortgage according to the  
8 note -- I have to refer back to the date, I don't  
9 remember the date now, but there is a date on the  
10 note, that is the date that the loan was originated.

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11 Q. January 6, 2007?  
12 MR. TEITELBAUM: '6.

13 BY MS. CHARNEY:

14 Q. I'm sorry, January 6, 2006.

15 A. Okay. So that is when the loan  
16 originated. Now, under the Mortgage Loan Purchase  
17 Agreement where Long Beach Securities Corp. is the  
18 purchaser and Long Beach Mortgage Company is the  
19 seller and as both documents meaning the Pooling and  
20 Servicing Agreement and Mortgage Loan Purchase  
21 Agreement reference one another, Long Beach  
22 Securities Corp. is also the depositor under the  
23 Mortgage Loan Purchase Agreement -- I apologize, is  
24 the depositor under the Pooling and Servicing  
25 Agreement. The Mortgage Loan Purchase Agreement

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1 contemplates the conveyance of mortgage loans on the  
2 closing date in the Mortgage Loan Purchase Agreement  
3 between Long Beach Securities Corp. and Long Beach  
4 Mortgage Company. As well, the Pooling and  
5 Servicing Agreement contemplates a closing date  
6 which is the effective date that the depositor Long  
7 Beach Securities Corp. conveys all right title and  
8 interest to the trustee. That is what I mean when I  
9 state that it occurs on the same day. That is the  
10 date the closing date that both documents  
11 contemplate the conveyance of the mortgage loans  
12 ultimately to the trustee. And as I stated earlier,

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13 it is supported by both documents contemplating an  
14 assignment of mortgage in blank.

15 Q. Then, Mr. Reyes, based upon what your  
16 testimony just was, you have to refer to the content  
17 of the Pooling and Servicing Agreement and the  
18 Mortgage Loan Purchase Agreement to give content and  
19 context to that assignment of mortgage in blank; is  
20 that correct?

21 A. I don't know what you mean.

22 Q. Well, let me ask it this way: If you just  
23 look at that assignment of mortgage in blank who is  
24 that mortgage assigned to?

25 A. It's to blank.

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14 testifying, you have to also reference the content  
15 of the Mortgage Loan Purchase Agreement to make any  
16 understanding that Long Beach Securities Company  
17 acquired an interest in this loan in the mortgage  
18 and was able to pass that interest to Deutsche Bank  
19 National Trust Company; is that correct?

20 A. One has to refer to all of these documents  
21 because the Nuer loan is securitized and is part of  
22 a mortgage pool that has been securitized. That  
23 mortgage pool is an asset of this trust Long Beach  
24 2006-2.

25 Q. Now, let me ask you this question: The

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1 Q. Can you make any sense of who that  
2 mortgage is assigned to without referencing an  
3 extraneous document those being the Pooling and  
4 Servicing Agreement for one; is that correct?

5 MR. TETTELBAUM: Objection.

6 THE WITNESS: I don't know how to answer  
7 your question other than it has to be taken in  
8 context because we are talking about the Nuer loan  
9 which Deutsche Bank holds all right title and  
10 interest to under the Pooling and Servicing  
11 Agreement.

12 BY MS. CHARNEY:

13 Q. And according to what you are also

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1 electronic list of loans that is filed with the SEC  
2 and that is part of your records at Deutsche Bank  
3 National Trust Company is the only documentation  
4 that you have to show that the Nuer loan is a part  
5 of the collateral loans under this Pooling and  
6 Servicing Agreement.

7 MR. TETTELBAUM: Is that a question?

8 BY MS. CHARNEY:

9 Q. Is that correct?

10 A. Say it again, please.

11 Q. The only document that Deutsche Bank  
12 National Trust Company has to tie the Nuer loan to  
13 Deutsche Bank National Trust Company is the  
14 electronic list of loans that is filed with the SEC?  
15 A. No. We have the original note endorsed in

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16 blank. The note is a negotiable instrument. We  
17 have the note. We have possession of the note. And  
18 the original mortgage. And the original title  
19 policy.

20 Q. Let's just -- you know, I haven't talked  
21 about the note one time, Mr. Reyes. I'm talking  
22 about the mortgage.

23 MR. TEITELBAUM: Objection. Okay.

24 Separate the note and the mortgage.

25 BY MS. CHARNEY:

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17 Q. And what are those documents?  
18 A. We have the original mortgage. We have  
19 the assignment in blank.

20 Q. Now, okay. Let's stop right there. How  
21 does the original mortgage show an interest in  
22 Deutsche Bank National Trust Company?

23 MR. TEITELBAUM: Objection. You are  
24 asking for a legal conclusion.

25 BY MS. CHARNEY:

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1 Q. You can answer the question, Mr. Reyes.

2 MR. TEITELBAUM: He's not a lawyer. No,

3 he can't.

4 THE WITNESS: Again, we have the  
5 assignment of mortgage in blank.

6 BY MS. CHARNEY:

7 Q. Okay. Now, that is the second document.  
8 Show me in the mortgage or the assignment in blank  
9 anything that shows an interest in the mortgage in  
10 Deutsche Bank National Trust Company?

11 MR. TEITELBAUM: Objection. You are  
12 assuming legal issues that don't exist.

13 BY MS. CHARNEY:

14 Q. Mr. Reyes, you can answer the question.

15 A. Again, my understanding of the pooling and  
16 Servicing Agreement is that all right title interest  
17 in the mortgage loan including the Nuer loan was  
18 conveyed to the trustee effective the closing date.

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19 And we received the documents under Section 2.01  
20 that we were supposed to receive with respect to the  
21 mortgage file.

22 MR. TEITELBAUM: Before you ask your next  
23 question, I just want to take a two-minute recess.  
24 Not to confer with the witness, I just want to take  
25 a two-minute recess.

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1 MS. CHARNEY: That's fine. Mr. Reyes,  
2 we're taking a break for two minutes in case you  
3 didn't get the message.

4 THE WITNESS: Thank you.  
5 (Discussion held off record.)

6 BY MS. CHARNEY:

7 Q. Okay. Mr. Reyes, I'm continuing on now  
8 looking at the Pooling and Servicing Agreement. Now  
9 I'm looking at Article II, Section 2.01(f)?

10 A. Okay. Let me go to it, please. Okay. F  
11 as in Frank. I'm there.

12 Q. You see there is that top little paragraph  
13 that says the original lender's title insurance  
14 policy?

15 A. Yes.

16 Q. And then there is a big long paragraph  
17 right after that that starts with the word "except"?

18 A. Yes.

19 Q. Under this provision of the Pooling and

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20 Servicing Agreement except for loans which are MERS  
21 loans -- and this is not a MERS loan, the Nuer loan,  
22 we are agreed this is not a MERS loan, a Mortgage  
23 Electronic Registration Systems loan?

24 A. Yes.

25 Q. So if this is not a MERS loan, it says:

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1 "Except with respect to any Mortgage Loan  
2 for which MERS is identified on the  
3 mortgage or on a properly recorded  
4 assignment of the mortgage as the  
5 mortgagee of record, the Master Servicer,  
6 in its capacity as seller, shall promptly  
7 (and in no event later than thirty (30)  
8 Business Days, subject to extension upon a  
9 mutual agreement between the Master  
10 Servicer and the Trustee), following the  
11 later of the Closing Date and the date of  
12 receipt by the Master Servicer of the  
13 recording information for a Mortgage  
14 submit or cause to be submitted for  
15 recording, at no expense to the Trust  
16 Fund, the Trustee or the Depositor, in the  
17 appropriate public office for real  
18 property records, each Assignment referred  
19 to in Section 201(c) and (d) above."  
20 Is that correct? I'm reading -- that is  
21 what it says?

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A. Yes, that is what it says.

Q. So this is not a MERS loan, the Nuer loan  
is not a MERS loan; is that correct?

A. That's correct.

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Q. And we don't have a properly recorded  
assignment of the mortgage?

MR. TELTELBAUM: Objection.

BY MS. CHARNEY:

Q. Is that correct?

MR. TELTELBAUM: Objection.

Go ahead.

BY MS. CHARNEY:

Q. Is that correct, Mr. Reyes?

A. I disagree. I point you further, if you  
take that sentence all the way through, there is a  
notwithstanding clause.

"Notwithstanding the foregoing, the

assignments shall not be required to be

completed and submitted for recording with

respect to any Mortgage Loan if each

Rating Agency does not require recordation

in order for such Rating Agency to

assign the initial ratings to the Class A

Certificates, the Mezzanine Certificates,

and the Class B Certificates and the other

NIM notes and the initial shadow rating to

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the insured NIM notes, without giving  
effect to any insurance policy issued by  
the NIMS insured."

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MR. TELTELBAUM: Before the next question,

I'm going to put an objection on the record that I  
object to the methodology employed by the examiner  
here in reading parts of the clause and not reading  
the entire clause in a blatant attempt to trick the  
witness. And I'm going to direct counsel from  
Florida to New York law as cited by Judge Glenn in  
the case in re Minbatiwalla 2010 West Law 694-166  
dated March 1, 2010, at Starr 3 through I think 4  
where Judge Glenn cites two cases under New York law  
that says a mortgage can be assigned in two ways:  
by delivering the bond and mortgage by the assignor  
to the assignee with the intention that all  
ownership interest thereby transferred; or by  
written instrument of assignment.

I'm going to direct the witness not to

answer any further questions in this regard. Move

on to your next area. Put it on the list of things

to discuss with Judge Gerber.

BY MS. CHARNEY:

Q. Mr. Reyes, do you know whether that  
notwithstanding provision under subsection (f)  
applies to the Nuer loan?

A. It applies to these -- it applies to this

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25 mortgage pool including the Nuer loan.

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1 Q. Now, I'm going to go back and ask you a  
2 question I asked you before, is there any document  
3 other than the electronic transfer information  
4 submitted as an exhibit to the pooling and servicing  
5 Agreement that in any way identifies the Nuer loan  
6 as within this pool?

7 MR. TETTELBAUM: Objection. Asked and  
8 answered.

9 You can answer it again.

10 THE WITNESS: Yes.

11 BY MS. CHARNEY:

12 Q. And what document would that be?

13 A. As I stated earlier, under section 2.01 we  
14 received the required documents. And section 2.01  
15 is identical to section 4 of the underlying Mortgage  
16 Loan Purchase Agreement.

17 Q. Is there any document, Mr. Reyes, I'll ask  
18 you again, aside from the electronic listing of  
19 loans that in any way ties the Nuer loan to this  
20 Pooling and Servicing Agreement or to the Mortgage  
21 Loan Purchase Agreement?

22 A. Yes.

23 MR. TETTELBAUM: I'm sorry. Go ahead.

24 THE WITNESS: Yes, as I stated, we

25 received the documents, the mortgage file documents

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1 as required --  
2 BY MS. CHARNEY:

3 Q. I'm asking you -- you are testifying about  
4 receipt of a document that you have no personal  
5 knowledge of. You are testifying from Deutsche  
6 Bank's records, electronic records, correct?

7 A. Yes, but we physically had possession of  
8 the file and we conducted a review of the original  
9 mortgage loan documents and those mortgage loan  
10 documents do exist.

11 Q. Point me, please, Mr. Reyes, to any  
12 document that refers to the Nuer loan as being a  
13 part of this pool?

14 A. Again, I refer you to the Mortgage Loan  
15 Purchase Agreement, the Pooling and Servicing  
16 Agreement, the mortgage file which Deutsche Bank  
17 National Trust Company as trustee holds.

18 Q. Mr. Reyes, is there a document that ties  
19 the Nuer loan to this pool?

20 MR. TETTELBAUM: One second.

21 BY MS. CHARNEY:  
22 Q. Please one document. Please, just tell me  
23 which document it is. The only one that I have  
24 evidenced at all is an electronic data recording  
25 populated by we haven't determined yet, but I'm

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1 asking you is there any other document that connects  
2 the Nuer loan to this securitization?  
3 MR. TEITELBAUM: Before you answer the  
4 question, same thing, again, with all respect we're  
5 caught in a loop here, do you want an answer to the  
6 question? Because there is a document in the  
7 witness' possession that if you choose to show it to  
8 him it would refresh his recollection. And it's  
9 been provided to you. It's been provided to the  
10 witness. And if you are looking for an answer as  
11 opposed to playing games here, let's move on. And  
12 when Mr. Reyes has referred to the Mortgage loan  
13 Purchase Agreement which refers to other schedules  
14 annexed thereto. All right?  
15 BY MS. CHARNEY:  
16 Q. Mr. Reyes, I'm asking you the question,  
17 again. Is there any document that you can reference  
18 that ties the Nuer loan as being a part of this  
19 pool?  
20 A. Yes. In addition to the agreements there  
21 is a mortgage loan schedule, and as I testified  
22 earlier, the loan number on that -- the loan numbers  
23 referred to on that mortgage loan schedule match the  
24 loan number on our system of record which also  
25 matches the actual loan number on the Nuer note.

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1 Q. And this document that you are referring  
2 to is a document created by Deutsche Bank National  
3 Trust Company; correct?  
4 A. The system of record, yes.  
5 Q. And it's a document created after the  
6 filing of the Pooling and Servicing Agreement;  
7 correct?  
8 A. I believe that our system of record  
9 predates the filing of the Pooling and Servicing  
10 Agreement. I refer you to the initial loan review  
11 which occurred prior to the March 7, 2006, closing  
12 date. We performed the initial loan review on  
13 1/13/2006.  
14 Q. At the time, then, Mr. Reyes, according to  
15 your testimony when you did an initial review of  
16 this loan, January 13, 2006, is that your testimony?  
17 A. Yes. That is when the initial loan review  
18 was performed by Deutsche Bank.  
19 Q. There was no Pooling and Servicing  
20 Agreement in existence on that date; is that correct  
21 Mr. Reyes?  
22 A. At that point, yes, that's correct.  
23 Q. So at that point when you did the initial  
24 loan review there could be no document that would  
25 tie the Nuer loan to a March 1, 2006, Pooling and

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1 Servicing Agreement?

2 A. As I said earlier, the Mortgage Loan

3 Purchase Agreement contemplates a closing date for

4 Long Beach Mortgage Loan Trust 2006-2 and effective

5 the closing date the Nuer loan along with many other

6 loans were conveyed to the trustee under the Pooling

7 and Servicing Agreement.

8 Q. And that is your testimony. And my

9 question is: The only data you have to make that

10 statement is your own internal records of Deutsche

11 Bank National Trust Company?

12 A. No. And we held the original mortgage

13 loan documents also as required under the Pooling

14 and Servicing Agreement.

15 Q. The Pooling and Servicing Agreement did

16 not exist when you did your initial loan review; is

17 that correct, Mr. Reyes?

18 MR. TEITELBAUM: Objection.

19 THE WITNESS: Yes. In my last answer I

20 agree with you, but what I'm referring to is the

21 closing date. Again, the mortgage loans including

22 the Nuer loan were conveyed to the trustee in the

23 securitization trust known as Long Beach 2006-2

24 effective the closing date.

25 BY MS. CHARNEY:

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2 Deutsche Bank National Trust records, can you tell

3 me how I can determine or how Judge Gerber can

4 determine that this Nuer loan wasn't put in a

5 different pool outside of Deutsche Bank National

6 Trust Company's private internal records?

7 MR. TEITELBAUM: Objection.

8 THE WITNESS: Outside of the context of

9 our system of record, the Pooling and Servicing

10 Agreement, the Mortgage Loan Purchase Agreement and

11 the mortgage file that we hold in custody, I don't

12 know what you mean outside of those bounds.

13 BY MS. CHARNEY:

14 Q. Well, on January 13 when Deutsche Bank

15 National Trust Company, according to your testimony

16 did the initial loan review of the Nuer loan, what

17 determined outside of your company's internal record

18 that this loan went into this pool as opposed to

19 another pool?

20 A. Our system of record indicates that this

21 loan is a part of this pool Long Beach 2006-2.

22 Q. So let's assume for the minute that we

23 can't rely on your internal system of record, is

24 there any other record that we can look at to follow

25 your testimony?

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1 Q. Now, Mr. Reyes, aside from your internal

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1 MR. TEITELBAUM: Objection. I'm going to

2 direct the witness not to answer the question for I

3 don't know how many times. You haven't established

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4 that these documents and the books and records are  
5 in any manner, shape and form unreliable. In point  
6 of fact, Ms. Nuer's amended objection which was  
7 filed with the court includes exhibits --

8 MS. CHARNEY: Well, Mr. Teitelbaum, if it  
9 would need to be amended orally or officially to  
10 conform to the evidence that is determined through  
11 discovery, obviously, that is what we're doing.

12 MR. TEITELBAUM: No. No. No. Let me

13 finish.

14 BY MS. CHARNEY:

15 Q. Mr. Reyes --

16 MR. TEITELBAUM: Ms. Tirelli next to her  
17 pleading is the electronic database that you've been  
18 referring to, and in that database on one of the  
19 last pages to Exhibit C is the loan number. Move on  
20 to the next area of inquiry because we're done. You  
21 are not -- Ms. Nuer is not even a party --

22 MS. CHARNEY: Mr. Teitelbaum, please don't  
23 try to intimidate me.

24 MR. TEITELBAUM: I'm not.

25 MS. CHARNEY: The words "we're done" is

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1 disrespectful and inappropriate in a deposition.

2 MR. TEITELBAUM: I suggest you move on.

3 MS. CHARNEY: Are we done for today? No

4 I'm not done with this line of inquiry.

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5 MR. TEITELBAUM: Then this deposition is  
6 over. Okay? Either you move on or the deposition  
7 is over?

8 BY MS. CHARNEY:

9 Q. Mr. Reyes, I'm going to ask you another  
10 question about the Pooling and Servicing Agreement  
11 and the Mortgage Loan Purchase Agreement.

12 MR. TEITELBAUM: Is it the same question  
13 that you've asked for the past hour?

14 BY MS. CHARNEY:

15 Q. With respect to the Mortgage loan purchase  
16 Agreement, is there any language in that agreement  
17 that references the Nuer loan?

18 A. Yes. It refers to -- I don't have the  
19 exact definition, but it does refer to mortgage  
20 loans and that there will be a schedule of mortgage  
21 loans.

22 Q. Does it refer to the Nuer loan, the  
23 mortgage loan purchase Agreement?

24 MR. TEITELBAUM: By name? Sylvia Nuer?

25 Is that your question?

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1 MS. CHARNEY: Mr. Teitelbaum, please.

2 MR. TEITELBAUM: Is that your question?

3 BY MS. CHARNEY:

4 Q. Mr. Reyes, can you answer the question?

5 A. Again, at the point of the Mortgage loan  
6 Purchase Agreement it contemplates conveying

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7 mortgage loans to Long Beach 2006-2 the trust for  
8 which Deutsche Bank National Trust Company acts as  
9 trustee.

10 Q. When the Mortgage Loan Purchase Agreement  
11 was filed, was it filed with a list of loans with  
12 the SEC?

13 MR. TEITELBAUM: Objection.

14 BY MS. CHARNEY:

15 Q. Can you answer the question, Mr. Reyes?

16 A. I don't know if it was filed with a  
17 schedule of the loans with the SEC.

18 Q. Do you know whether a list is -- all  
19 right. So I'll ask you, again, you don't know  
20 whether there was a list of loans filed with the  
21 Mortgage Loan Purchase Agreement. So can you  
22 identify anything in the Mortgage Loan Purchase  
23 Agreement that evidences the Nuer loan being  
24 involved under the Mortgage Loan Purchase  
25 Agreement --

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1 MR. TEITELBAUM: wait.

2 BY MS. CHARNEY:

3 Q. -- or subject to the Mortgage Loan  
4 Purchase Agreement?

5 MR. TEITELBAUM: Stop. Objection. Asked  
6 and answered. I'm directing the witness not to  
7 answer. And if you do not want to move on to the

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8 next area of inquiry, the deposition is over.  
9 Seriously, end of discussion. If you want to move  
10 on to the next area of inquiry, fine. If you want  
11 to stay on this inquiry, the deposition is over.

12 BY MS. CHARNEY:

13 Q. Mr. Reyes --

14 A. I apologize to interrupt. We've  
15 momentarily lost the connection for about five  
16 seconds there. So we're back on. We just lost the  
17 connection. We just noticed, you know.

18 THE REPORTER: We didn't get your last  
19 question.

20 THE WITNESS: Yeah. Sorry.

21 BY MS. CHARNEY:

22 Q. I'll ask it again. Do you know whether  
23 there is a loan schedule that identifies loans sold  
24 under the Mortgage Loan Purchase Agreement?

25 A. Yes.

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1 Q. And do you know whether that loan schedule  
2 was filed as part of the Mortgage Loan Purchase  
3 Agreement or subsequent to the filing of the  
4 Mortgage Loan Purchase Agreement?

5 MR. TEITELBAUM: Filing of the Mortgage  
6 Loan where? Filing of the Mortgage Loan Purchase  
7 Agreement where?

8 BY MS. CHARNEY:

9 Q. Mr. Reyes, can you answer the question?

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10 A. I don't understand to whom the filing was  
11 made.

12 Q. With the SEC?

13 A. I don't know.

14 Q. So you don't know if there is anything in  
15 the Mortgage Loan Purchase Agreement that references  
16 the Nuer loan as being one of the loans on a closing  
17 schedule?

18 MR. TEITELBAUM: objection.  
19 Mischaracterizing the testimony.

20 BY MS. CHARNEY:

21 Q. Is that correct?

22 A. Again, the Mortgage Loan Purchase  
23 Agreement contemplates transferring mortgage loans  
24 on the closing date to the Long Beach 2006-2 Pooling  
25 and Servicing Agreement. And there is a mortgage

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1 loan schedule which is applicable to the Long Beach  
2 2006-2 Trust and that mortgage loan schedule  
3 includes the Nuer loan.  
4 Q. Outside of the assignment in blank from  
5 the originating lender, is there any assignment of  
6 the mortgage or any document that identifies the  
7 transfer under the Mortgage Loan Purchase Agreement  
8 or the Pooling and Servicing Agreement of the Nuer  
9 loan -- of the Nuer mortgage to Deutsche Bank  
10 National Trust Company?

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11 MR. TEITELBAUM: objection. Asked and  
12 answered. I'm directing the witness not to answer.

13 Move on to the next area.

14 MS. CHARNEY: well, we either need to call

15 the judge or --

16 MR. TEITELBAUM: well, fine, let's do  
17 that. Then let's do that. It's absolutely fine.  
18 we've spent almost two hours --

19 MS. CHARNEY: Mr. Zipes, it's your

20 initiating deposition, I think this is relevant  
21 inquiry especially since this witness has already  
22 testified that you can't look at an assignment in  
23 this particular case without referencing the Pooling  
24 and Servicing Agreement and the Mortgage loan  
25 Purchase Agreement and I think Mr. Teitelbaum is way

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1 out of line. And I'm just trying to do my job to  
2 show the lack of that -- essentially to show that  
3 Deutsche Bank National Trust Company was fully aware  
4 at the time that it filed documents with this  
5 bankruptcy court that it did not own this loan in  
6 any form that was legal or sufficient to give it  
7 standing or real party in interest to file a motion  
8 for relief from stay.  
9 MR. TEITELBAUM: we're done with the  
10 deposition. Ronald, the deposition is over. The  
11 deposition is over. The deposition is over. The  
12 deposition is over.

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Ronaldo, thank you for your time.

MR. ZIPES: We are going to take two minutes. Give me two minutes to see if I can clear this up. The record will reflect the deposition is not over right now. If you give me two minutes I'll speak with counsel right now.

MR. TEITELBAUM: This line of questioning is not resuming.

MR. ZIPES: Just give us two minutes. (Discussion held off record.)

MR. CHARNEY: Are we on the record, Court Reporter?

MR. TEITELBAUM: Yes, we are on the

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record. If you are not moving on to your next line of inquiry, then the examination is over.

MS. CHARNEY: Well, I have to inquire so we're going to have to go to the judge because you have so compromised this deposition.

MR. TEITELBAUM: Don't even go there.

That's fine. You will make your record and we'll be very content just to submit the transcript of the deposition to the judge and let him rule on whose compromised the examination. I am prepared to proceed with this deposition if you are prepared to move on to the next line of inquiry off of was this mortgage conveyed to the pool. Period, end of

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story. It's that simple.

MS. CHARNEY: Well, just for the record, the witness has testified that I can look to certain documents to tie the Nuer loan into this pool. And I'm asking him now that he's listed those documents to show me in those documents where it refers to the Nuer loan. And you stopped him so many times now from answering relevant inquiry that you have compromised an ability to have a deposition here.

MR. TEITELBAUM: If that is your position, then the deposition is fine. It's over.

MS. CHARNEY: And not only that, I think

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at this point I have to raise the issue to the court that you are so conflicted as to who you represent here --

MR. TEITELBAUM: Okay. The deposition is over. We're off the record. You can go to the judge.

MS. CHARNEY: Give this back to you.

THE REPORTER: Are we done? This is the reporter.

MR. TEITELBAUM: The examination is concluded. If the debtor wishes to seek a protective order or a motion to compel with the court, they can do so. We've made the witness available from twelve o'clock P.M. Eastern time till 3.35. The debtor showed up approximately 20 minutes

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16 late to the examination. We all waited patiently.  
17 The debtor has wasted or spent even the last hour  
18 and 40 minutes asking one single line of  
19 questioning. The examination is over. And I will  
20 note the debtor has refused despite invitation to  
21 move on to other areas of inquiry relevant as set  
22 forth in the Judge's March 18th ruling. I would  
23 like an expedited copy of the transcript, please.

24 THE REPORTER: Anybody else?

25 MR. TETTELBAUM: And I'll send you my

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1 E-mail information. Other parties will send you  
2 whatever you need.

3 (Discussion off the record.)

4 MR. ZIPES: I ask everybody to remain here  
5 just a second. I have to make a phone call and I'll  
6 be back.

7 MR. TETTELBAUM: Examination is over or  
8 not or do you have further questions?

9 MR. ZIPES: I might have further  
10 questions. Is there a phone that I can use here?

11 (Recess taken.)

12 MR. TETTELBAUM: Ronaldo, Mr. Zipes has a  
13 few follow-up questions for you.

14  
15 EXAMINATION (CONTINUING)

16 BY MR. ZIPES:

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17 Q. Okay. I understand that matters are going  
18 to be put before the judge and my intention is not  
19 to interfere with that aspect. I just want some  
20 clarification to some questions, again, without  
21 prejudice to anybody else's rights here.

22 Mr. Reyes, who is the owner according to  
23 the documents that you reviewed, who is the actual  
24 owner of the Nuer mortgage?

25 A. Deutsche Bank National Trust Company as

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1 trustee for the benefit of the certificate holders  
2 of Long Beach 2006-2.

3 Q. So where does Long Beach Trust 2 fit into  
4 the chain of title? If at all?

5 A. The trust is the trust for which we act as  
6 trustee.

7 Q. Okay. So I'll ask you, again, because  
8 maybe I'm not understanding your term when you say  
9 "owner of the mortgage." Why don't you turn to what  
10 we marked as USF/Reyes 5. It's an assignment of  
11 mortgage signed by Scott Walter. Do you see that?

12 A. One moment, please. Okay. I see it now.

13 Q. Okay. So referring to this, not referring  
14 to this, Long Beach Mortgage Trust 2006-2 is that  
15 the owner of the Nuer mortgage?

16 A. As it states there the assignee is

17 Deutsche Bank National Trust Company as trustee for  
18 Long Beach Mortgage Loan -- as trustee for Long

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19 Beach Mortgage Trust 2006-2.

20 Q. Well, this says that Deutsche -- at least  
21 this says Deutsche Bank National Trust Company is  
22 trustee?

23 A. Yes.

24 Q. And I'm asking who is the owner of the  
25 Nuer mortgage?

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1 A. Deutsche Bank National Trust Company as  
2 trustee.

3 Q. Where does Long Beach Mortgage Trust  
4 2006-2 fit in to the ownership chain, if any?

5 A. We act as trustee for that trust. I would  
6 point you to --

7 Q. Go ahead. Go ahead.

8 A. In my testimony I've been referring to  
9 section 2.01 of the pooling and servicing agreement,  
10 what I'm referring to in 2.01 of the pooling and  
11 servicing agreement it's titled "Conveyance of  
12 Mortgage loans."

13 "The Depositor, concurrently with the  
14 execution and delivery hereof, does hereby  
15 transfer, assign, set over and otherwise  
16 convey to the Trustee without recourse for  
17 the benefit of the Certificateholders all  
18 the right, title and interest of the  
19 depositor, including any security interest

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20 therein for the benefit of the Depositor,  
21 in and to the Mortgage Loans identified on  
22 the Mortgage Loan Schedule, the rights of  
23 the Depositor under the Mortgage Loan  
24 Purchase Agreement all other assets  
25 included or to be included in REMIC 1."

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1 And so on. That is what I have been  
2 testifying to today. So it speaks for itself.

3 Q. Okay. So your testimony is that it is  
4 what it is?

5 MR. TEITELBAUM: objection.

6 THE WITNESS: It is the trustee. What I  
7 was referring to is that is what the document  
8 states.

9 BY MR. ZIPES:

10 Q. Okay. And so you mentioned that Long  
11 Beach Mortgage Trust 2006-2 is a beneficiary?

12 MR. TEITELBAUM: Object. Go ahead.

13 BY MR. ZIPES:

14 Q. Tell me. Go ahead.

15 A. I didn't say that. I said that it is the  
16 trust for which we act as trustee.

17 Q. You use the word "trustee" -- I'm actually  
18 not trying to trick you in any way here. You use  
19 the word "trustee" for Deutsche National Bank and  
20 then you also refer to it as the owner, can an owner  
21 also be a trustee?

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22 MR. TEITELBAUM: Objection. Legal  
23 conclusion.  
24 BY MR. ZIPES:  
25 Q. Okay. If you understand that term from a  
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1 nonlegal standpoint?  
2 MR. TEITELBAUM: Objection. It does call  
3 for a legal conclusion.  
4 THE WITNESS: I don't understand from a  
5 legal standpoint what you mean, but I do understand  
6 what I just stated from a business standpoint and  
7 from my understanding of securitization trusts. All  
8 right, title and interest in the mortgage loans  
9 including the Nuer loan is conveyed to the trustee  
10 as I read from Section 2.01.  
11 BY MR. ZIPES:  
12 Q. Okay. Now, with respect to the assignment  
13 of mortgage, do any of your records reflect that  
14 there was an assignment of mortgage on November 1st,  
15 2008?  
16 A. NO.  
17 Q. Okay. Do any of your records reflect that  
18 -- I think you just testified with respect to the  
19 PSA; correct?  
20 A. Yes.  
21 Q. Do any of your records reflect that --  
22 okay. I have no further questions.  
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23 MR. TEITELBAUM: Mr. Reyes, I'm going to  
24 ask you one or two questions so we have a complete  
25 record for the court.  
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1 MS. CHARNEY: No. We're objecting.  
2 MR. TEITELBAUM: You don't have to be  
3 here. You can do whatever you want.  
4 MS. CHARNEY: You are on my time.  
5 MR. TEITELBAUM: No, you are on your time.  
6 MS. CHARNEY: I'm objecting, then, because  
7 I still want to ask questions and you've directed  
8 the witness not to answer anymore --  
9 MR. TEITELBAUM: I have offered for you --  
10 MS. CHARNEY: You also directed me to move  
11 to a different place when I'm representing my client  
12 and I get to choose where I get to question the  
13 witness.  
14 MR. TEITELBAUM: I'm sorry. What does  
15 that mean?  
16 MS. CHARNEY: So if you are going to  
17 continue the deposition then I'm going to move and  
18 start asking the questions.  
19 MR. TEITELBAUM: I'm sorry. What do you  
20 mean by move to a different place?  
21 MS. CHARNEY: You are telling me I can't  
22 ask any more questions about trying -- how the Nuer  
23 loan is tied in to the Pooling and Servicing  
24 Agreement?  
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25 MR. TEITELBAUM: That's correct.

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1 MS. CHARNEY: Then you don't get to ask  
2 any more questions at this point.

3 MR. TEITELBAUM: You know what, that's  
4 fine. You know what, we'll have the record before  
5 -- actually, I disagree with you because Mr. Zipes  
6 asked --

7 MS. CHARNEY: You know, I don't really  
8 want to hear that.

9 MR. TEITELBAUM: That's fine. Before  
10 anybody goes, I have two questions for you,  
11 Mr. Reyes.

12 MS. CHARNEY: No. I'm sorry --

13 BY MR. TEITELBAUM:

14 Q. Mr. Reyes, with respect to --

15 MS. CHARNEY: -- this deposition was  
16 concluded by you --

17 BY MR. TEITELBAUM:

18 Q. Mr. Reyes --

19 MS. CHARNEY: -- with the exception -- but  
20 we're not consenting to you, Counsel --

21 MR. TEITELBAUM: That's fine. Then I want  
22 to know if the parties will consent and stipulate to  
23 the fact that the document which has been marked as  
24 Reyes' Exhibit 2 is a business record of Deutsche  
25 Bank? If the parties stipulate, then I have no

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1 questions.  
2 MS. CHARNEY: We're not stipulating. You  
3 cancelled this deposition. You can't have it both  
4 ways.

5 MR. TEITELBAUM: You know what, the judge  
6 will decide which ways we have it.

7 Mr. Reyes, a question for you, sir --

8 MS. CHARNEY: No. I'm sorry.

9 BY MR. TEITELBAUM:

10 Q. U.S. Trustee's Exhibit 2 --

11 THE REPORTER: You know what, I cannot get  
12 you both down at the same time. So please. I am  
13 getting pissed off right now. I am sorry, ma'am, I  
14 cannot hear you. And I am not taking you down right  
15 now. I can't hear you.

16 MS. CHARNEY: Mr. Teitelbaum has closed  
17 and stopped this deposition and so we are going off  
18 the record. Thank you very much.

19 MR. TEITELBAUM: I am going to state for  
20 the record without asking the witness any questions  
21 the purpose for which I was going to speak to the  
22 witness --

23 MS. CHARNEY: Did you want to --

24 MR. TEITELBAUM: Wait.

25 MS. TIRELLI: You want to make your

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1 record, you make your record.  
2 MS. CHARNEY: We are off the record.  
3 MR. TEITELBAUM: No, we are not off  
4 record.  
5 MS. TIRELLI: You concluded it, Jay. You  
6 don't remember that?  
7 MR. TEITELBAUM: I concluded -- I  
8 concluded the examination --  
9 MS. CHARNEY: Whatever, Jay. And we know  
10 how far you will get with Judge Gerber on this.  
11 MR. TEITELBAUM: For the record, the  
12 purpose of my examination was to establish whether  
13 UST/Reyes 2 is a business record of the U.S.  
14 Trustee's office. The parties have determined that  
15 I should not do that. We will reserve that issue.  
16 Thank you. The deposition is now concluded.

(TIME NOTED: 12:50 P.M.)

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I declare under penalty of perjury  
under the laws of the State of California  
that the foregoing is true and correct.  
Executed on \_\_\_\_\_, 2010,  
at \_\_\_\_\_, California.

\_\_\_\_\_  
SIGNATURE OF THE WITNESS

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1 STATE OF CALIFORNIA ) ss:  
2 COUNTY OF LOS ANGELES )

3  
4 I, KELLIE MITCHELL, C.S.R. No. 7273, do  
5 hereby certify:  
6

7 That the foregoing deposition testimony of  
8 RONALDO REYES was taken before me at the time and  
9 place therein set forth, at which time the witness  
10 was placed under oath and was sworn by me to tell  
11 the truth, the whole truth, and nothing but the  
12 truth;

13 That the testimony of the witness and all  
14 objections made by counsel at the time of the  
15 examination were recorded stenographically by me,  
16 and were thereafter transcribed under my direction  
17 and supervision, and that the foregoing pages  
18 contain a full, true and accurate record of all  
19 proceedings and testimony to the best of my skill  
20 and ability.

21 I further certify that I am neither  
22 counsel for any party in said action, nor am I  
23 related to any party to said action, nor am I in any  
24 way interested in the outcome thereof.  
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5 IN WITNESS WHEREOF, I have subscribed my name  
6 this 31st day of March, 2010.  
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KELLIE MITCHELL, C.S.R. No. 7273

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